

# REGIONAL GOVERNMENT AND RESOURCE PRESERVATION IN THE SAN FRANCISCO BAY AREA: A STAFF APPRAISAL

*Regional planning - S.F. bay area  
metropolitan area - S.F. bay area  
S.F. metropolitan area - Political  
first.*

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# California Legislature

## SENATE COMMITTEE ON GOVERNMENTAL EFFICIENCY

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April 1, 1969

Honorable Richard J. Dolwig, Chairman  
Senate Committee on Governmental Efficiency  
State Capitol, Room 3056  
Sacramento, California 95814

Dear Mr. Chairman,

This report has been prepared by your staff pursuant to a committee request during the 1968 legislative year.

The report has been prepared under my direction. The principal effort which has gone into those phases of data collection and report writing are principally the responsibility of Mr. Davis Campbell.

Mr. Campbell is one of the three full-time interns assigned to the committees of the California State Senate for the year 1968-69.

The internship program is financially supported by a grant to the Department of Political Science, University of California at Davis from the American Political Science Association and is under the academic directorship of Dr. Alvin Sokolow, Assistant Professor with the Department of Political Science, University of California at Davis.

The materials gathered will speak for themselves.

I wish to emphasize that the findings and recommendations contained in this report are solely those of the committee staff and do not necessarily represent the views of the committee as a whole, nor any of its members.

Sincerely,

*Charles L. Baldwin*  
CHARLES L. BALDWIN

CLB:ph

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SECTION IINTRODUCTION:OVERVIEW OF REPORT

In 1963, the California Legislature created the first of what was ultimately to be four specially constituted Study Commissions designed to identify and study regional problems of the San Francisco Bay Area. Three of the four Study Commissions were mandated by the Legislature to examine specific substantive problems of the Bay Area and report to the 1969 Session with final reports and recommendations.

These three commissions and a summary of their responsibilities are as follows:

1. Bay Area Transportation Study Commission (BATSC) 1963

To conduct a comprehensive transportation study of the San Francisco Bay Area and prepare a master regional transportation plan.

2. Bay Conservation and Development Commission (BCDC) 1965

To make a detailed study of San Francisco Bay, prepare a master plan for conservation of Bay waters and shoreline and to protect existing Bay waters by enforcing a fill moratorium.

3. San Francisco Bay-Delta Water Quality Control Program (BAY-DELTA) 1965

To prepare a master plan to control discharge of waste water into Bay waters.

BATSC, BCDC, and BAY-DELTA are all single-purpose regional planning efforts. Each of the Study Commissions were instructed to





prepare a Master Plan for resource preservation or regional infra-structure development within each of their assigned program and policy study areas. In addition, each was required to prepare contingency plans for implementation of their findings.

In 1966 a fourth Study Commission, the Joint Committee on Bay Area Regional Organization (BARO) was established. The function of BARO was to examine and coordinate the reports and recommendations of the three Commissions studying substantive problems of the Bay Area and report to the 1969 Session with a Master Plan for regional government.

It is reasonable to assume that massive amounts of data will accompany the submission of the final reports and recommendations of the various Study Commissions. Additional data may be anticipated from interested parties, both supporting and opposing regional government, at different times during the session.

The staff of the Senate Committee on Governmental Efficiency has prepared this report in an attempt to provide a concise, objective overview of the background, organization, activities and recommendations of the four Study Commissions, and to offer recommendations based upon the findings of this study.





This report does not attempt to list the accomplishments or failures of each Commission; nor is this report to be interpreted as an effort at "second guessing" the Commissions; rather, this report is a tool -- a reference tool to help relate data in its proper perspective.

This report deliberately ignores the consideration of whether or not regional government is the proper or desired form of government to deal with "regional" problems of the Bay Area. Regional problems do exist and special purpose regional governments have been created to deal with them. This report begins with the assumption that some form of regional government is going to continue as a means of dealing with regional problems in the San Francisco Bay Area.

The following is a partial list of such government agencies in the Bay Area which have regional responsibilities:

San Francisco Bay Area Air Pollution  
Control District

Bay Area Rapid Transit District

San Francisco Bay Regional Water Quality  
Control Board

Bay Area Transportation Study Commission

San Francisco Bay Conservation and  
Development Commission

U. S. Army Corps of Engineers





U. S. Water Pollution Control Service  
California State Water Control Board  
State Division of Highways: District  
IV and X  
State Division of Toll Crossings  
Golden Gate Bridge and Highway District  
East Bay Municipal Utilities District  
East Bay Regional Park District  
Alameda Contra-Costa Transit District  
San Francisco Bay-Delta Water Quality  
Control Program

Following this section of the report are six additional sections which have the following purposes:

The following section presents a summary of findings and recommendations.

The third section of the report deals with setting the scene. It outlines how the Study Commissions were in effect superimposed upon an existing Bay Area government structure characterized by a complex mix of overlapping federal, state and local government jurisdictions and authorities. Findings presented in this section suggest that the inter-relationship within the existing governmental structure is an important constraint which helps shape the operations and activities of the Study Commissions.

The fourth section of the report





provides an overview of the relevant regional reports and major developments in regional planning prior to the creation of the Study Commissions. It is important to briefly scan the important trends in regional government leading up to the four Study Commissions.

The fifth section deals with current regional planning in the Bay Area with an emphasis on the background, structure and functions of the four Study Commissions.

The sixth section of the report is a synopsis of the final reports and recommendations of the four Study Commissions. In some cases where all the reports and recommendations of the Commissions are not yet final, semi-final reports are discussed.

The final section of the report contains comments and recommendations by staff based upon the findings outlined in previous sections.



## SECTION II

### SUMMARY OF FINDINGS AND STAFF RECOMMENDATIONS

This section presents a summary of the general findings and recommendations of this report. A more detailed account of these findings are included in Section VII.

The governmental structure of the nine-county San Francisco Bay Area is characterized by a complex mix of overlapping federal, state, subregional, and local government jurisdictions. The historic proliferation of local government combined with the tradition of home rule in the Bay Area has severely restricted the development of centralized, multi-purpose regional planning and government.

Historically, the trend in the Bay Area has been to deal with the regional aspects of particular substantive problems (i.e., air pollution, transportation, water quality control, etc.) as it became necessary. Over the years, single-purpose subregional districts were created to service the broader needs of the region.

In 1963, the California Legislature responded to increasing pressures for more comprehensive regional planning in the Bay Area by creating the Bay Area Transportation





Study Commission. The creation of BATSC, followed by the Bay Area Conservation and Development Commission and the San Francisco Bay-Delta Water Quality Control Program in 1965 represented a departure from the general practice of limited subregional planning and government.

Each of the three Study Commissions were mandated by the Legislature to conduct broad studies within their assigned policy areas and design a master plan for resource preservation and general regional planning and development.

In 1966, a fourth study effort was initiated by the Legislature. This group, the Joint Legislative Committee on Bay Area Organization (BARO) was specifically instructed to examine the final recommendations of BATSC, BCDC and BAY-DELTA and prepare a proposal for regional government to be submitted to the Legislature in 1969 along with the final reports and recommendations of the other three Commissions.

The findings and subsequent recommendations of the four Study Commissions were





in strong accord on the subject of government structure. All four Commissions recommended the creation of a limited scope, multi-purpose regional government. Each Study Commission indicated that this was the best possible structure to ensure the implementation of their study findings.

However, in the event the Legislature failed to create a multi-purpose regional government, each Commission recommended that a single-purpose regional agency be created to deal with regional needs within their particular subject areas.

After reviewing the findings of the four Study Commissions, the staff of the Senate Committee on Governmental Efficiency concludes that some governmental mechanism is needed to service the regional needs of the San Francisco Bay Area in the specific problem areas of bay conservation and development, water pollution control, recreation, general research, and to a lesser extent, transportation. The staff further concludes that a limited scope, multi-purpose regional government would be the most efficient and effective



form of government to service the broad regional needs of the Bay Area.





### SECTION III

#### BACKGROUND: GOVERNMENT AND PLANNING IN THE SAN FRANCISCO BAY AREA:

##### The Setting

The San Francisco Bay Area has experienced a rapid expansion of population, industrialization, and urbanization in the decades since World War II. As the boundaries of the metropolitan areas expanded, new local governments were created to meet the needs and demands of expanding populations.

In the tradition of home rule and local autonomy, the trend towards decentralization of authority and proliferation of local governments continued until today the more than 4.5 million residents of the San Francisco Bay Area (see exhibit #1 for population data)<sup>1</sup> are distributed in and governed by 9 counties, 91 cities, 9 major regional districts and hundreds of special districts. (See exhibit #2 for listing of special districts in the San Francisco Bay Area.) It has been estimated that there are 4,500 public officials, more than 3,500 of which are elected, who make decisions affecting government in the Bay Area.

In terms of government, the San Francisco Bay Area has been described as, "one of the most complex metropolitan communities

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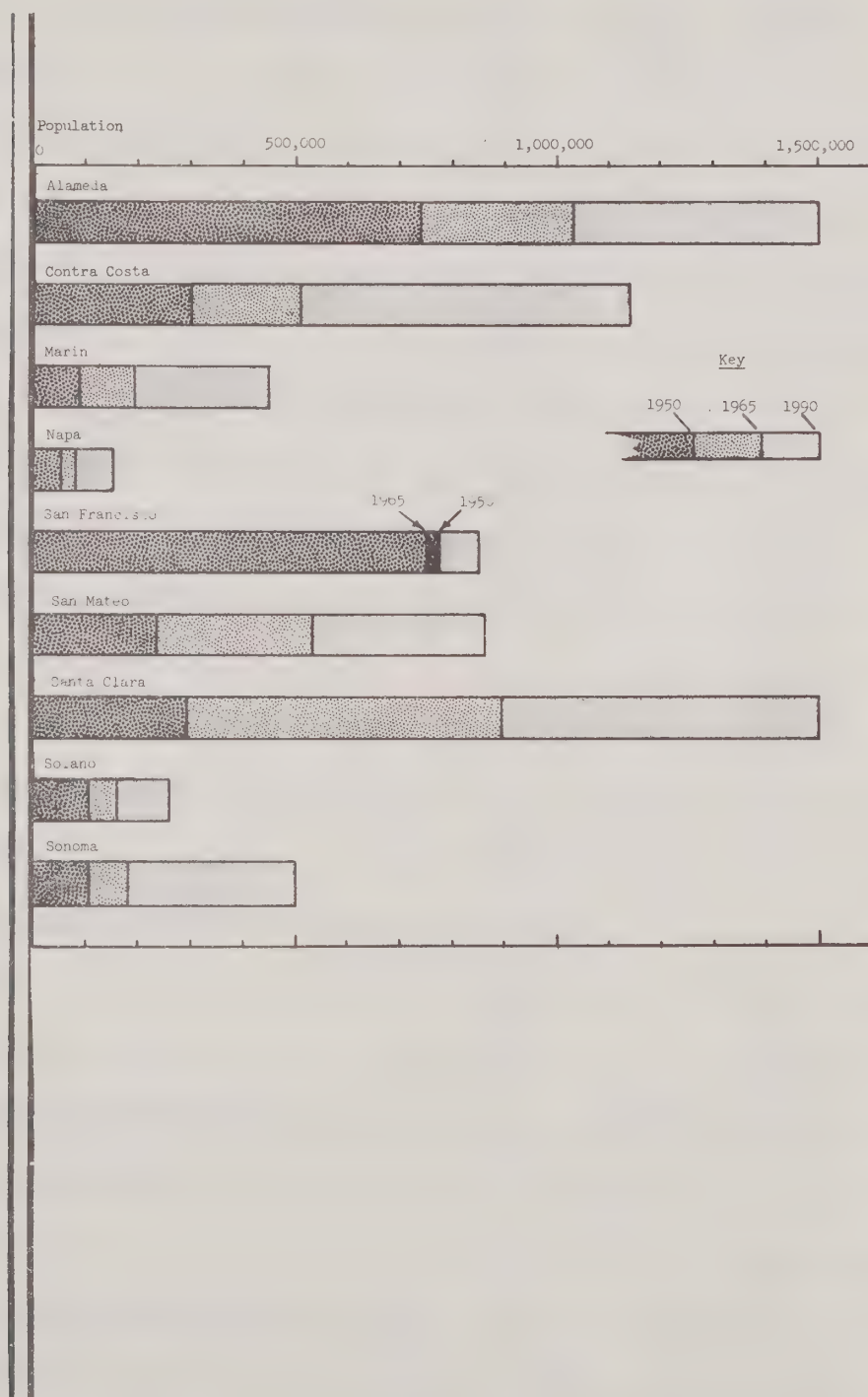
<sup>1</sup>See appendix for additional population data.





EXHIBIT 1

## POPULATION OF THE BAY AREA COUNTIES - 1950, 1965, 1990



Source: Association of Bay Area Governments



EXHIBIT 2  
SPECIAL DISTRICTS IN  
THE SAN FRANCISCO BAY  
AREA BY TYPE AND COUNTY

	ALAMEDA	CONTRA COSTA	MARIN	NAPA	SAN FRANCISCO	SAN MATEO	SANTA CLARA	SOLANO	SONOMA	12 TOTAL
1. Air Pollution Control					1					1
2. Airport										
3. Bridge & Highway					1					1
4. Cemetery		2		1				6	2	11
5. Community Services	2	1	7	1		2			5	18
6. Drainage									1	1
7. Fire Protection	7	20	9	2		8	10	10	17	83
8. Flood Control/ Water Conservation	1	1	1	1		1	1	1	1	8
9. Flood Control Maintenance										
10. Garbage Disposal										
11. Harbors and Ports			1			1				2
12. Health										
13. Joint Highway									2	2
14. Hospital	2	3	1			2	1		3	12
15. Municipal Improvements		1				2				3
16. Levee								1		1
17. Library								2		2
18. Highway Lighting	1		18	2		11		2	16	50
19. Maintenance			4			15			2	21
20. Memorial							1			1
21. Mosquito Abatement	1	2	1	1		1	1		1	8
22. Parking		1								1
23. Pest Abatement										
24. Citrus Pest Control										
25. Police Protection			1			3				4

Source: California State Controller  
Annual Report of Financial Transactions  
Special Districts of California - 1966-67





## EXHIBIT 2 (Cont'd)

	ALAMEDA	CONTRA COSTA	MARIN	NAPA	SAN FRANCISCO	SAN MATEO	SANTA CLARA	SOLANO	SONOMA	13 TOTAL
26. Reclamation	2	11			1	1	1	8	1	25
27. Recreation & Park	3	5	2	3		1	1	1	5	21
28. Road Maintenance										
29. Permanent Road Division			3						23	26
30. Sanitary	5	9	11			8	5	1		39
31. County Sanitation		5	1	1		4	3		7	21
32. Sanitation & Flood Control								1		1
33. Separation of Grade										
34. County Services Area	7	38	8			6	1	1		61
35. Sewer & Sewer Maintenance		1	6			6		1	1	15
36. Soil Conservation	2	2	1	1		1	3	3	5	18
Storm Water										
37. Drainage & Maintenance		3							1	4
38. Transit	1		1		1	1				4
39. Municipal Utility	1									1
40. Public Utility		2	4			1			2	9
41. California Water				1				1	1	3
42. County Water	4	11	2	3		7	3		6	36
43. Metropolitan Water										
44. Municipal Water			2							2
45. Water Agency or Authority		1					1			2
46. Water Conservation							3			3
47. Water Replenish.										
48. Water Storage										
49. County Water Works						2				2
TOTAL	39	119	84	17	4	84	35	39	102	523



in the United States..."<sup>2</sup> In addition, there is ample evidence to indicate that the Bay Area growth pattern has not peaked. It has been predicted that by the year 2000,

...the San Francisco Bay Area will be seventh on the list of super-metropolitan areas in the United States, exceeded only by the supermetropolitan populations of New York, Los Angeles, Chicago, Detroit, the Chesapeake and Potomac area and the Delaware Valley.<sup>3</sup>

The rapid growth and subsequent horizontal and vertical expansion of the Bay Area urban pattern, both in terms of employment base (industry, etc.) and resident population, has created numerous governmental problems. One of the more important of these is the actual and potential disfunctional effects of overlapping governmental jurisdictions.

The Association of Bay Area Governments, a voluntary association of local governments, has identified for planning purposes eight major policy areas which are regional in nature. These are:

- solid waste removal
- water quality control
- transportation
- bay conservation and development

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<sup>2</sup>San Francisco Bay Conservation and Development Commission. Stanley Scott and John C. Bollins, "Government: Regional Organization for Bay Conservation and Development." November 1967, p. 10.

<sup>3</sup>California, State of, Highway Transportation Agency, San Francisco Bay Area Transportation Study, Prospectus. October, 1962, p. 4.





air pollution  
 comprehensive regional planning  
 regional open spaces and parks  
 metropolitan airport planning.<sup>4</sup>

The substantive problem areas listed by ABAG are regional in nature because the implications of each transcend any single government jurisdiction. Thus, programs and policies initiated in any of these planning areas by one or more of the component governments of the Bay region have spillover effects for the region as a whole. A decision beneficial to one government may have a direct or potential disfunctional affect on the region.

Bay Area Historian and Planner, Mel Scott writes:

...many residents of the San Francisco Bay Area are scarcely aware that they live in what is essentially a single metropolis. The Bay splits the urban pattern into several parts and there is not one center but two. San Francisco on the west side of the Bay and Oakland on the east side. Yet the cities...are so interdependent, economically and socially and the problems they face -- air pollution, vanishing open space, bay pollution, inadequate transit, uncoordinated planning -- are so pervasive that the oneness of the area cannot be denied.<sup>5</sup>

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<sup>4</sup>Association of Bay Area Governments, "Regional Home Rule and Government in the San Francisco Bay Area." September 1966 , p. 3,4.

<sup>5</sup>Scott, Mel, The San Francisco Bay Area - A Metropolis in Perspective, University of California Press, Berkeley and Los Angeles, 1959, p.2.



The Rationale for  
Regional Government  
in the San Francisco  
Bay Area

Regional government has not been easily accepted anywhere in the United States. However, most of the individuals who have studied the problems of the San Francisco Bay Area seem to agree that such a form of government may well be the only way out of home rule chaos within specific areas of governmental responsibility associated with the Bay region.

The Bay Area's limited experience with regional government has been characterized by the dominance of the single-purpose approach to regional planning. Historically, limited single-purpose regional and subregional governments were created in the Bay Area to deal with specific regional problems (air pollution, transportation, water quality control, etc.) as they developed. Generally, three conditions were evident prior to the formation of these limited regional governments:

(a) the component governments of the region identified their self-interest with the common interest of the region;

(b) it became evident that the existing network of local, state and federal governments were unable to provide efficient, effective coordinated service to the regional need; and

(c) concerned Bay Area residents both





individually and through organizations, urged elected and appointed public officials to recognize their responsibilities as residents of the region.

Recurring efforts to cut across specific policy areas to create a broad based, multi-purpose regional government for the area have been consistently rejected. Ideological fears of "supergovernment" combined with a desire for home rule and local autonomy has severely restricted the development of significant multi-purpose regional government.

The Governmental Context  
of the San Francisco  
Bay Area

The governmental environment of the San Francisco Bay Area is characterized by an extremely complex mix of overlapping federal, state, limited-regional and local government jurisdictions and authorities. One result of the lack of a regional centralizing mechanism is that over the years, within many of the regional problem areas, reservoirs of fragmentary uncoordinated research reports, studies and other data have accumulated. In the transportation area, for example, there have been 280 studies and reports conducted since World War II and prior to 1962. Over the same period, there were 320 land use studies



and 330 economic and population studies.<sup>6</sup>

It would be neither feasible nor particularly desirable, for this report to attempt to catalog and annotate all the reports generated by studies conducted in the various regional program and policy areas. However, a general profile of activities of the various federal, state, regional and local governments in the Bay Area has been prepared. Such a general discussion might suffice not only to illustrate the basic nature of the governmental responsibilities of each, but also to set the stage for a later discussion of major historical developments in regional planning.

Federal Government  
Activities and Programs  
in the San Francisco  
Bay Area

As is the case in other large metropolitan areas in the United States the Federal Government exercises significant responsibilities in substantive program and policy areas in the San Francisco Bay Area. Generally, federal activities fall into two broad categories.

1. Direct operations or services carried out by federal agencies themselves, and
2. Programs conducted through or in partnership with state and local agencies.<sup>7</sup>

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<sup>6</sup>San Francisco Bay Area Transportation Study, op cit, p. 12.

<sup>7</sup>Public Administration Service, prepared for the Association of Bay Area Governments, "Regional Government Agencies and Programs in the San Francisco Bay Area." San Francisco, June, 1967, p. 4.



Both of these services occur at all three levels of planning -- regional, subregional and local. Partnership between the federal government and cities and counties in terms of grants and matching fund programs are quite common. In addition, ongoing programs conducted by federal agencies often reach into numerous regional policy areas at all levels of planning.

One controversial issue, particularly among local governments, relates to the role of the federal government in influencing the development of regional planning and government in the Bay Area. Many of the federal laws include a mandatory provision requiring evidence of either regional planning or coordination prior to the issuance of grants. This occurs most often in the areas of transportation and urban development.

One of the most active federal agencies in terms of both the BCDC and the BAY-DELTA studies, is the Corps of Engineers. The Corps is involved in a five year study of water quality control for the entire Bay region. In addition, the Corps conducts ongoing studies of Bay waters and Tidelands through its Bay Model.





The following federal agencies have direct interest in programs and issues relating to regional planning in the Bay Area.

The Department of Agriculture.

The Department of Interior (recently announced creation of two task forces on Bay fill and water quality control).

The Department of Housing and Urban Development. (Mostly through grants under its 701 series.)

The Department of Health, Education and Welfare.

The Department of Commerce.

The Department of Transportation.<sup>8</sup>

State Government  
Activities in the  
San Francisco  
Bay Area

The State of California through its numerous agencies, departments and divisions is actively involved in government in the San Francisco Bay Area. Ongoing programs in substantive areas such as transportation, water quality control and supply, parks and recreation and overall planning are of particular importance to this report.

An important state-wide study with regional implications for the Bay Area was recently released. The study was the Governor's Task Force on Transportation. Among other things, it recommended the creation of regional

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<sup>8</sup>San Francisco Bay Conservation and Development Commission, Spangle and Sedway and Associates, "Municipal, State, and Federal Programs Affecting San Francisco Bay." June, 1966, p. 16, 17 and 18.



transportation districts for the entire state. The conclusions of the Task Force clearly state the growing concern for the regional preservation of California's resources:

California has entered an era which is characterized by a high degree of interdependence among all elements of its social, economic and political structure. It is no longer possible for individuals, groups of people, businesses, industries or communities to go their separate ways. The behavior and stability of our State derives, as never before, from the complex interactions of the many elements of which it is composed. The word for today and for the future is interaction.<sup>9</sup>

The wide diversity and broad based concern of the State in the Bay Area is illustrated by a list of the major state agencies active:

Department of Public Health.

Office of Atomic Energy Development and Radiation Protection.

Motor Vehicle Pollution Control Board.

Department of Water Resources:

State Reclamation Board.

State Water Rights Board.

Department of Fish and Game:

Wildlife Conservation Board.

State Water Quality Control Board.

Department of Parks and Recreation:

Division of Beaches and Parks.

Division of Recreation.

Division of Small Craft Harbors.

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<sup>9</sup>California, State of. Report of the Governor's Task Force on Transportation. Sacramento, California, November 1968.





Department of Conservation:  
 Division of Soil Conservation.  
 Division of Forestry.  
 Division of Mines and Geology.

Department of Agriculture.

Highway Transportation Agency.

Department of Public Works:  
 Division of Highways.  
 California Toll Bridge Authority.  
 State Aeronautics Board.

Business and Commerce Agency.

Public Utilities Commission.

Department of Investment:  
 Division of Real Estate.

Department of Housing and Community  
 Development.

Department of Finance:  
 State Office of Planning.  
 Division of State Lands.<sup>10</sup>

Regional Government  
Activities in the  
San Francisco  
Bay Area

To date no general purpose regional government exists in the San Francisco Bay Area. As mentioned earlier, the historical trend has been for the state to create single-purpose government efforts to deal with the regional implications of specific problems as they arise.

Excluding the four Study Commissions, there are presently nine such regional agencies in existence in the Bay Area. Listed by date of establishment these are:

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<sup>10</sup>Ibid.



East Bay Municipal Utility District EBMUD (1923) Portions of Alameda and Contra Costa Counties. Primarily a water service district.

Golden Gate Bridge and Highway District (1928) San Francisco, Marin, Sonoma, Del Norte and parts of Napa and Mendocino Counties. Operates Golden Gate Bridge.

East Bay Regional Park District (1934) Alameda and Contra Costa County provides full range of recreational activities.

San Francisco Bay Regional Water Pollution Control Board (Now Water Quality Control) (1949) Major area covers drainage basin for San Francisco Bay, San Pablo Bay and Suisun Bay. Concerned primarily with water pollution.

Bay Area Air Pollution Control District (1955) Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, (Napa, Sonoma, Solano are inactive). Regulates all stationary sources of pollutants plus railroads, ships and airplanes.

Alameda-Contra Costa Transit District (1956) Alameda and Contra Costa Counties bus transit system.

San Francisco Bay Area Rapid Transit District (1957) Alameda, San Francisco, Contra Costa Counties. Construct and operate rapid transit system.

West Bay Transit Authority (1964) San Mateo County. Prepare a master plan for transportation in San Mateo County.

Marin County Transit District (1964) Marin County. Prepare a master plan for county transit system.

The creation of BATSC, BCDC and BAY-DELTA represents a continuation of the single purpose approach to regional planning. With the establishment of BARO, however, the door



was opened to the possibility of broader scope of regional planning and government. BARO has the option to present to the 1969 session of the Legislature a recommendation to establish a general multi-purpose "umbrella" form of regional government.

Local Government  
Activities in the  
San Francisco  
Bay Area

Cities, counties and special districts normally have primary responsibility for providing services and planning within their jurisdictional boundaries. As a result, local governments, through their respective planning divisions, annually generate hundreds of reports which have regional implications.

There have been some efforts, through voluntary association of local governments at the area and regional level, to mitigate the disfunctional effects of fragmented planning. In most instances these efforts have been restricted to area-wide city and county planning councils, workshops and conferences.

Association of Bay  
Area Governments.

The most significant move, at the local level, towards meeting the regional needs of the area occurred in 1961. In January of that year, the Association of Bay Area Governments was founded. Created under the Joint





Exercise of Powers Act, (Section 6500-6578 of the Government Code), ABAG's initial membership included five counties and forty-two cities.

Organizational growth and concurrent legitimacy resulted in expanded membership. Current membership in ABAG includes ninety cities and eight of the nine Bay Area counties (Solano County being the sole exception).

The functional scope of the Association is stated in the Preamble to its By-Laws and in Article (1):

The Association is organized for the permanent establishment of a forum for discussion and study of metropolitan area problems of mutual interest and concern to the counties and cities of the San Francisco Bay Area and for development of policy and action recommendations.

The functions of the Association are enunciated as:

- A. Review of Government Proposals.  
The review of proposals for metropolitan area or regional governmental units or agencies, and the making of appropriate policy or action recommendations.
- B. Study of Metropolitan Area Problems.  
The identification and study of problems, functions and services in the San Francisco Bay Metropolitan Area and the making of appropriate policy or action recommendations.
- C. Other Functions.  
Such other metropolitan or regional functions as the General Assembly shall deem appropriate for the Association.<sup>11</sup>

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<sup>11</sup>Public Administration Service, op cit, p. A-1,2.



It is very important to stress the essential voluntary nature of ABAG's membership. The impact of ABAG upon regional planning is somewhat dimmed by this fact. At any given time any member may, with impunity, withdraw from the organization.

There have been numerous studies undertaken by the Association of Bay Area Governments since its creation in 1961. Most significant of these is the comprehensive regional plan entitled, "Preliminary Regional Plan for the San Francisco Bay Region." Published in 1966, the Preliminary Plan is part of ABAG's Regional Planning Program which is,

--designed to produce a regional plan; to continue the planning process; to guide the future growth and development of the region; and to assist local planning agencies in the preparation and implementation of local plans.<sup>12</sup>

The Plan identifies major regional problem areas such as Housing, Open Space, Employment, Transportation and Planning. The report lists the following regional goals and policies which form the base of the Preliminary Plan:

1. The physical environment must be healthy, safe, and attractive. It must have sufficiently wide variety of housing

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<sup>12</sup>Association of Bay Area Governments, "Preliminary Regional Plan for the San Francisco Bay Region," Berkeley, California. November 1966, p. 2.





that is convenient to other activities and facilities to allow for a broad range of choice of housing types and locations.

2. Protection, preservation, and enhancement of the region's major physical and environmental features is essential. These features -- the bay, mountains, and the ocean shoreline -- establish the region's desirable qualities.

3. Provision of ample land and facilities for the economic growth of the region is important.

4. A permanent open space system of sufficient size and locational qualities must be provided to meet the complete range of the region's recreation activities; to serve as a reserve for the protection and conservation of water and other natural resources; to maintain special agricultural areas; to prevent building in undesirable locations; to enhance the visual environment of the region; and to serve as a design feature for the achievement and maintenance of a desired regional form.

5. An integrated regional land use transportation system is needed for the Bay Region, which is consistent with the choice of the best future region form.

6. The most desirable use of land should be based on its physical characteristics and locational significance.

7. A sense of local citizen and community identity with the region, coupled with feelings of responsibility for the region and a conviction of the importance of participation in regional affairs is important for the well-being of the Bay Region.<sup>13</sup>

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<sup>13</sup>Ibid, p. 12 and 13.



Non-Governmental  
Regional Activities  
in the San Francisco  
Bay Area

Activity in support of regional problem solving is not limited to government efforts. Indeed, much of the popular support so necessary to motivating government action can be directly traced to the public and private efforts of educational, conservation and civic institutions and organizations.

University of  
California

The University of California, Berkeley campus, has provided more nongovernmental expertise in dealing with regional problems than any other single institution, organization or group. Its various urban oriented research institutes, centers and laboratories have played a major role in providing data in support of regional solutions to substantive problems.

The major institutes involved in regional studies are:

Institute of Governmental Studies.

Institute of Transportation and Traffic Engineering.

Institute of Business and Economics Research.

Institute of Industrial Relations.

Institute of Urban and Regional Development.

Center for Real Estate and Urban Economics.

Survey Research Center.



One current project of particular importance to regional planning and government in the Bay Area is the study undertaken by Professors Scott and Hawley of the University's Institute of Governmental Studies.<sup>14</sup>

The initial survey resulted in the completion and return of 114 self-administered questionnaires. The following policy areas were identified by a majority of respondents as being regional in scope and nature:

- Mass Transportation
- Bay Conservation and Development
- Solid Waste Disposal
- Air Pollution
- Airports
- Water Quality Control

In addition, a substantial portion of the respondents identified the following as regional problem areas:

- Regional Parks and Recreation
- Regional Planning
- Conservation of Open Space<sup>15</sup>

Perhaps the most significant general conclusion of the survey is that most leaders

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<sup>14</sup>University of California, Institute of Governmental Studies, Public Affairs Report. Stanley Scott and Willis D. Hawley, "Leadership Views of the Bay Area and its Regional Problems: A Preliminary Report." Volume 9, No. 1. February, 1968.

<sup>15</sup>Ibid.





in the Bay Area agree that some form of regional government is needed. The authors explain,

Eighty-nine percent concurred--40 percent "strongly"--that the Bay Area is moving toward some form of metropolitan or regional government.<sup>16</sup>

Save San Francisco  
Bay Association

The Save San Francisco Bay Association is one of the leading conservation organizations active in the Bay Area. Founded in 1961, the Association is primarily concerned with preserving the existing shoreline of the Bay waters and preventing uncontrolled fill and development. The Save San Francisco Bay Association is an active force advocating regional approaches to conservation in the Bay Area.

San Francisco Bay  
Area Council

The Bay Area Council is an active citizen/business organization dedicated to the general economic development of the Bay Area. The Bay Area Council has been an active participant in the quest for regional government. Not only have individual members been active in the operation of the Study Commissions (most particularly BATSC) but the Council has sponsored a citizens' group, "Citizens for Active Discussion

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<sup>16</sup>Scott, op cit.



of Regional Organization" (CADRO) which works actively in support of regional government.

### People for Open Space

People for Open Space is an important conservationist organization active in the San Francisco Bay Area. The present organization grew out of the old "Citizens for Regional Recreation and Parks in the San Francisco Bay Area." The goal of People for Open Space is to urge the establishment of a limited purpose regional government to deal with problems of open space, recreation and parks, as well as other regional problem areas.

### A Partial Listing of Civic Organizations Active in the San Francisco Bay Area

#### Bay Area in Scope

Bay Area Council  
League of Women Voters of the Bay Area  
People for Open Space  
Save San Francisco Bay Association  
Junior Chamber of Commerce,  
Bay Region Council  
Bay Area Health & Welfare Council  
Institute of Local Self Government

#### Subregional

Marin Conservation League  
Marin Council for Civic Affairs  
San Francisco Planning and Urban Renewal  
Association  
Committee for Green Foothills  
Contra Costa Park and Recreation Council  
East Bay Regional Park Association

#### National or State Conservation Organizations with Local Offices

Nature Conservancy  
Audubon Society



Sierra Club  
 San Francisco Bay Chapter  
 Loma Prieta Chapter  
 California Roadside Council  
 California Tomorrow  
 Planning and Conservation League for  
 Legislative Action

Professional Associations with Bay Area Chapters

American Institute of Planners, Northern  
 Section California Chapter  
 American Institute of Architects, Central  
 Coast Chapter  
 American Society of Landscape Architects  
 American Society of Civil Engineers

Civic Organizations

Chambers of Commerce  
 Development Associations

Sportsmen's Associations

Rod & Gun  
 Yacht Clubs  
 Boating Clubs  
 Swim Clubs<sup>17</sup>

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<sup>17</sup>Spangle & Sedway Associates, op cit, p. 96.





## SECTION IV

### REGIONAL PLANNING IN THE SAN FRANCISCO BAY AREA: A HISTORICAL OVERVIEW.

As mentioned earlier, it is impractical to examine all the reports generated by the hundreds of local and subregional studies conducted in the various regional problem areas. However, it will be useful to briefly look at major developments and historical trends in regional planning up to the creation of the first Study Commission in 1963. Such a summary will help explain the general background of the Study Commissions, and provide insight into the transition which occurred from the "traditional" approach of fragmented subregional planning to the comprehensive approach which characterized the scope of the Study Commissions.

For the purposes of this report, it would be helpful to divide the historical section into four broad periods of development. These periods are:

1. Early
2. The Fifties
3. The Transitional Sixties (1960-1964)
4. Current

Section IV of this report deals with the first three periods of development. This section is only intended to highlight significant developments in regional planning. No attempt is made nor intended to present a comprehensive history of regional government in the San Francisco Bay Area.



Early

One of the most reliable accounts of early metropolitan growth in the San Francisco Bay Area is the history written by Mel Scott entitled, The San Francisco Bay Area--A Metropolis in Perspective. Most of the information in this report on the Early period of development is from this source.

In 1925, Fred Dorhmann, "...undertook the stupendous job of attempting to arouse a whole metropolitan region to the desirability of planning for orderly growth and development."<sup>1</sup> The Regional Plan Association, composed of San Francisco Bay Area Counties, was the mechanism through which this task was to be accomplished.

The Regional Plan Association was created as a permanent organization which would concentrate on the "problems of water and food supply, sewerage, transportation, highways and bridges, and development of natural resources." The Association, "aimed not only to educate, but actually to devise in a technical sense solutions to the interrelated civic problems" of the Bay Area.<sup>2</sup> One of the truly remarkable feats of the Association was

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<sup>1</sup>Scott, Mel. The San Francisco Bay Area - A Metropolis in Perspective, University of California Press, Berkeley and Los Angeles, 1959, p. 187.

<sup>2</sup>Ibid., p. 186.



its identification, in 1925, of what modern industrialized metropolitan centers thirty years later would discover to be major regional problem areas.

When, in 1927, Fred Dorhmann said, "I prefer to think of the waters of San Francisco Bay as uniting the various communities rather than dividing them, and on that account I consider that their common problems demand a common solution,"<sup>3</sup> he was articulating a concept that was years ahead of his time.

Time was to be the major factor working against the enlightened civic leaders supporting the Regional Plan Association. In that same year, 1927, the Association went out of existence. Lack of financial support and public concern at the local level had been fatal.

The failure in 1927 of the first major multi-purpose general regional planning organization set an historical precedent. Later regional movements, limited as they were, would be single-purpose efforts. The precedent set in the creation of the East Bay Municipal Utility District in 1923, would be followed in 1928 with the Golden Gate Bridge and Highway District, in 1934 with the East Bay Regional

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<sup>3</sup>Ibid., p. 196.





Park District, and in 1949 with the San Francisco Bay Regional Water Pollution Control Board.

The kaleidoscope of overlapping government jurisdictions and authorities in the San Francisco Bay Area severely restricted the possibilities for development of general-purpose regional government. The reluctance of local governments to give up a measure of autonomy worked against general-purpose planning and in favor of very limited, special-purpose efforts.

This is not to imply, however, that there were no further attempts to create general-purpose planning authorities during the early period. There were numerous efforts, mostly abortive, by generalists--local, state and federal planners, conservationists and concerned civic and business leaders--to encourage regional planning. In 1935, county planners formed the short lived San Francisco Metropolitan Planning Commission. In 1941, the State Planning Board was petitioned to create a regional planning district for the Bay Area. And, in 1946, the influential San Francisco Bay Council was formed.



Regional Planning  
in the Fifties

There was a marked increase in the early fifties in awareness of the regional nature of many urban problem areas. Despite this, however, many of the most significant regional planning efforts did not occur until the latter half of the decade.

At the local level, continued efforts by planners to develop general regional planning goals were formalized in 1952 with the establishment of the Bay Area Planning Commission Study Committee. Created by an association of 47 local planning bodies, the Study Commission was designed to, "...define and clarify the nature and scope of regional planning in the Bay Area and to recommend the type of agency which could most effectively perform the function of regional planning in the Bay Area."<sup>4</sup>

In 1954, the first results of the Study Commission were released through the San Francisco Bay Council. Entitled, Regional Planning Needs of the San Francisco Bay Area, the report stated that a comprehensive regional development plan was essential, and that without it, "local planning agencies cannot adequately appraise the probable effects of their plans on their own and other communities and on the area as a whole."<sup>5</sup>

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<sup>4</sup>Ibid., p. 303.

<sup>5</sup>Ibid.



While local planners and other generalists were grappling with the broad conceptual problems confronting general-purpose regional planning, other developments were occurring within specific program and policy areas.

At the turn of the decade, concerned state and local officials turned to consider a regional problem unique to the San Francisco Bay Area. The question of Bay Tideland ownership, preservation and development of Bay shorelands became the topic of a special Assembly Committee on Tideland Reclamation. In 1951 and 1953, the Committee recommended the creation of a regional authority for planning purposes.<sup>6</sup>

In another substantive policy area, recognition of the fact that smog respects no political boundary and therefore is truly a regional problem led to the creation, in 1955, of the Bay Area Pollution Control District.

The District was the first regional air pollution control district in the United States. It was created by the Legislature after various combinations of voluntary local governments were unable to deal effectively with the

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<sup>6</sup>California Legislature. Assembly Interim Committee on Natural Resources, Planning, and Public Works (Planning Subcommittee). Filling San Francisco Bay. San Francisco, California, October 22-23, 1963, p. 38.





developing problem of air pollution in the Bay Area. The District currently is composed of six of the nine Bay Area Counties: Santa Clara, San Mateo, San Francisco, Marin, Alameda and Contra Costa. The three northern counties--Napa, Sonoma and Solano--may join the District at any time. (See Exhibit 3 , Map showing active and inactive counties.)

Of all the substantive program and policy areas, however, perhaps none was the focal point for as much early regional planning as urban transportation. In 1951, the California Legislature created the nine-county San Francisco Bay Area Rapid Transit Commission to study long range Bay transit problems. Reports were issued in 1953 and 1956, with the final report being issued in 1957. The final report led to the creation of the billion dollar San Francisco Bay Area Rapid Transit District, a subregional three county transit government. In addition to the creation of BARTD, the Alameda-Contra Costa Transit District was formed in 1956.

An important development in regional transportation planning occurred in 1959. As a result of the recommendations of the Senate



**EXHIBIT 3**

**THE BAY AREA AIR POLLUTION CONTROL DISTRICT - ACTIVE AND INACTIVE COUNTIES.**



Source: Davis, Kingsley and Eleanor Langlois.  
FUTURE DEMOGRAPHIC GROWTH OF THE SAN FRANCISCO BAY AREA  
Institute of Governmental Studies, University of California,  
Berkeley.



Interim Committee on Bay Area Problems,  
a special study commission, the Golden Gate  
Authority Commission, was created to:

study and investigate port, harbor,  
airport, bridge, and other metropolitan  
transportation facilities in the San  
Francisco Bay Area and harbor facilities  
outside the San Francisco Bay Area by  
having a direct effect on trade and  
commerce in the San Francisco Bay Area,  
and the advisability of operating any or  
all such facilities under a single agency.<sup>7</sup>

Developments in regional planning  
accelerated tremendously in the latter part  
of the decade. It was becoming increasingly  
clear that a coordinated, systematic approach  
to resource preservation in the Bay Area was  
needed. As a result, there was a corresponding  
increase in governmental activity.

On March 26, 1959, Governor Edmund G.  
Brown in his executive order establishing the  
Governor's Commission on Metropolitan Area  
Problems stated:

California's growth, occurring mainly  
in urban regions, has crowded our  
streets, overburdened our transit lines,  
threatened a dangerous pollution of our  
air, created water shortages, and led  
to new cost and complexity in local  
government. These tensions and troubles,  
popularly called metropolitan area  
problems, require our earnest and  
immediate study.<sup>8</sup>

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<sup>7</sup>California, State of. Golden Gate Authority Commission. Golden Gate  
Transportation Commission for the San Francisco Bay Area. San Francisco,  
California, February 1, 1961, p. 5,6.

<sup>8</sup>California, State of. "Meeting Metropolitan Problems." Report of the  
Governor's Commission on Metropolitan Area Problems. Sacramento,  
California, December 1960, p. 26.





In December of 1959, an important regional report was issued by the U. S. Department of Commerce for the Corps of Engineers. Entitled, "Future Development of the San Francisco Bay Area 1960 - 2020," the report consisted of, "an appraisal of the future economy of the Bay Area with estimates of future employment in the major economic activities, projected distribution of various land uses, and a study of land reclamation possibilities." The major findings of the report are:

...that the San Francisco Bay Area in 2020 will have a population of 14.4 million, of which more than 5 million people will be employed, and that there is sufficient potential urban land (3,600 square miles) to accommodate the urban land requirements (2,400 square miles) of the projected population and economy. In addition to these major findings, the report provides detailed estimates of the future population, economy, and land use on a decade-to-decade basis, and indicates what the population distribution and land use patterns in the Bay Area are likely to be on a minor civil division basis.<sup>9</sup>

Regional Planning in  
the Transitional  
Sixties

By 1960 there was substantial agreement for the first time throughout the San Francisco Bay Area that metropolitanwide physical development problems existed and that these problems inevitably would become more and more serious. It was also

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<sup>9</sup>U. S. Department of Commerce. Economic Aspects of Comprehensive Survey of San Francisco Bay Tributaries, Future Development of the San Francisco Bay Area 1960 - 2020, December 1959, p. 1.



generally acknowledged for the first time that governmental action above the level of the area's city and county governments would be necessary during the next twenty years if these problems were going to be dealt with effectively.<sup>10</sup>

By 1960, it soon became obvious to most informed persons that the sixties would see a continued growth in support of regional solutions to metropolitan problems.

In 1961, the final recommendations of the Governor's Commission on Metropolitan Area Problems were submitted to the Legislature. The final report of the Commission recommended the creation of a multi-purpose regional district in each of the state's metropolitan areas. In addition, the district was to provide regional planning in at least one of the following problem areas: (1) air pollution control, (2) metropolitan water supply, (3) metropolitan sewage disposal and drainage, (4) metropolitan transportation terminals and related facilities, (5) metropolitan parks and parkways, (6) metropolitan law enforcement functions, (7) metropolitan aspects of fire protection, (8) metropolitan phases of urban renewal, (9) civil defense, and (10) any other areawide function requested by the residents

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<sup>10</sup>California, University, Institute of Governmental Affairs. "City and Regional Planning for the Metropolitan San Francisco Bay Area," by T. S. Kent, Jr., Berkeley, 1963, p. 1.



and leadership of the individual metropolitan region concerned.<sup>11</sup>

A study was undertaken in 1961 by the Assembly Interim Committee on Municipal and County Government on the subject of "the organization, powers, and establishment of area wide multi-purpose districts."<sup>12</sup>

Multi-purpose districts enabling legislation was unsuccessful in 1961. In its analysis of the defeat, the Assembly Interim Committee reported that "further efforts to force the use of the multi-purpose organization device might well have the effect of distracting local efforts from other more promising methods of providing needed area wide services. In short, such efforts could well retard needed steps toward metropolitan integration."<sup>13</sup>

1961 was also the year that the Golden Gate Authority Commission submitted its "final report on the advisability of operating bridge, harbor, airport, and other transportation facilities in the San Francisco Bay Area under a unitary agency."<sup>14</sup> The

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<sup>11</sup>Governor's Commission on Metropolitan Area Problems. Op cit, p. 17.

<sup>12</sup>California Legislature. Assembly Interim Committee Reports. Final Report of the Assembly Interim Committee on Municipal and County Government, Multipurpose Districts. 1961 - 1963. Vol. 6 No. 19, p. 9.

<sup>13</sup>Ibid.

<sup>14</sup>Golden Gate Authority Commission. Op cit.



Commission had directed its study to the following transportation areas:

- (a) Public recognition of the need for coordinated development of regional facilities such as toll bridges, airports, and seaports.
- (b) Feasibility of centralizing the management of such facilities under a single agency, and the soundest means of effecting it.
- (c) Desirability of including other related facilities and services, such as rapid transit, within the scope of a regional agency.
- (d) Basis on which a regional agency's governing board should be constituted, and the most feasible method of appointing board members.
- (e) Relationships which should be established between a regional transportation agency and other governmental jurisdictions in the Bay Area.<sup>15</sup>

The final recommendation of the Commission was that:

The State Legislature should establish a Golden Gate Transportation Commission with powers to acquire, manage, plan, construct, maintain, and extend public toll bridge, airport, and seaport facilities, and to undertake related regional transportation services, within the geographical boundaries of the San Francisco Bay Area.<sup>16</sup>

Legislation introduced to establish a Golden Gate Authority in the Bay Area failed to gain passage during the 1961 Session.

Regional transportation planning did not falter due to the defeat of the proposed

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<sup>15</sup>Ibid., p. 6.

<sup>16</sup>Ibid., p. 9.





Golden Gate Authority. In 1962, an important regional transportation study was conducted by the State Highway Transportation Agency. In its preparation of the "Prospectus for a San Francisco Bay Area Transportation Study," the Transportation Agency was required by the Legislature to collaborate with the following organizations:

State Office of Planning

University of California, Institute of  
Transportation and Traffic Engineering

United States Bureau of Public Roads

United States Housing and Home Finance  
Agency

San Francisco Bay Area Rapid Transit  
District

Alameda Contra-Costa Transit District

American Association of State Highway  
Officials.<sup>17</sup>

In addition, a major advocate for regional transportation planning in the Bay Area was the Bay Area Transportation Coordination Committee. This citizens organization was an active participant in the preparation of the prospectus.

When completed in late 1962, the transportation prospectus recommended the creation of a special agency to undertake the

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<sup>17</sup>California, State of. Highway Transportation Agency. Prospectus for a San Francisco Bay Area Transportation Study. October 1962, p. 1.



following objectives:

- (1) develop a sound, comprehensive regional transportation plan for the San Francisco Bay Area;
- (2) make provisions for continuing amendment and refinement of the transportation plan.

The scope of the transportation study should be broad and diverse. The prospectus outlines the proposed study:

Conduct of a study to develop such a regional transportation plan will require a broad-scale effort, involving land use planning, population and economic development studies, studies of transportation facilities and patterns, and participation by all levels of government.<sup>18</sup>

1963 was an extremely important year in terms of regional planning and government for the San Francisco Bay Area. One of the most important studies released that year was the long awaited Corps of Engineers report entitled, "Technical Report on Barriers."

The Corps of Engineers' barrier study was a major undertaking authorized by Senate Resolution 119, 81st Congress, 1st Session, which mandated a study of San Francisco Bay with respect to needs,

...for additional transportation, arteries bridges, causeways, and other facilities, designed to advance the commerce, navigational defense, land reclamation, and

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<sup>18</sup>Ibid., p. 7.



industrial development of the area, including but not limited to, (a) the extent to which such facilities may be utilized to expand, or be combined or coordinated with facilities for expansion of, the fresh water supply of the area; (b) the extent to which such additional facilities will contribute to the national defense, navigation, flood control, irrigation of agricultural lands, the repulsion of salinity, and other authorized Federal functions; (c) estimated costs of such works."<sup>19</sup>

The specific purpose of the Barrier study was to examine and discuss the various barrier proposals to control and protect against salt water intrusion from the Pacific Ocean. The final report, however, contained much general economic and development data useful to the private sector as well as to government agencies.

The University of California has consistently been a major participant in Bay Area regional planning. During 1963 and 1964, the Institute of Governmental Studies sponsored an interdisciplinary series of monographs (The Franklin Lane Series) dealing with regional problems of the Bay Area. Entitled, The San Francisco Bay Area: Its Problems and Future, the series is comprised of the following monographs:

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<sup>19</sup>U. S. Army Corps of Engineers. Comprehensive Survey of San Francisco Bay and Tributaries, California Appendix "G" Economic Analysis to the Technical Report on San Francisco Bay Barriers. March 1963, p. xix.





1. Davisson, Malcolm M.  
 "Financing Local Government in the San Francisco Bay Area" 1963  
 - A survey of background to major local taxation and revenues...includes discussion of property tax, sales and use taxes, and city business license and franchise taxes.
2. Greenfield, Margaret  
 "Social Dependency in the San Francisco Bay Area: Today and Tomorrow" 1963  
 - A survey of conditions of public aid recipients in the Bay Area.
3. Poland, Orville F.  
 "Economic Trends in the San Francisco Bay Area" 1963  
 - A survey of economic change in the San Francisco Bay Area from 1950 to date...separates the Bay Area by its two SMSAs--San Jose and San Francisco - Oakland.
4. Record, Wilson  
 "Minority Groups and Intergroup Relations in the San Francisco Bay Area 1963  
 - Emphasis on the role of the "phenominal growth in the Negro population and its concentration in restricted areas, actually ghettos, within the Bay Area's major cities." This paper deals primarily with minority population growth and the development of intergroup tensions; intergroup conflict and social action movements; and problem areas in intergroup relations (employment, education, housing, and welfare).
5. Reller, Theodore L.  
 "Problems of Public Education in the San Francisco Bay Area"  
 - Emphasis on local control..."barriers" to education...recommendation for limited regional education "district."



6. Scott, Mel  
 "Partnership in the Arts: Public and Private Support of Cultural Activities in the San Francisco Bay Area"  
 - Survey of cultural programs of seven local Bay Area governments... libraries, museums, zoos, botanical gardens, arboretums, opera, symphony, concerts, ballet and art festivals... recommend creation of a "regional council on the arts."
7. Davis, Kingsley and Langlois, Eleanor  
 "Future Demographic Growth in the San Francisco Bay Area"  
 - Study of Bay Area urban growth pattern...development of historical growth pattern...SMSA...future growth.
8. Kent, T. S., Jr.  
 "City and Regional Planning for the Metropolitan San Francisco Bay Area"  
 - Survey of planning patterns in Bay Area...proposals for locally oriented regional government.
9. Maga, John A.  
 "Air Resource Management in the San Francisco Bay Area"  
 - Historical development of air pollution control in the Bay Area... affects of air pollution...regional control...Bay Area Air Pollution Control District...need for new programs.
10. Stead, Frank M.  
 "Managing Man's Environment in the San Francisco Bay Area"  
 - Historical concepts in environmental sanitation...air pollution in the Bay Area...water and resources supply... food supply...shelter.
11. Vance, James E., Sr.  
 "Geography and Urban Evolution in the San Francisco Bay Area"  
 - History of allocative decisions... component metropolitan centers



composing the Bay Area...the physical structure of the Bay Area...historical development of urban structure of the Bay Area...birth of a new urban form.

12. Wurster, Catherine Bauer  
"Housing and the Future Cities in the San Francisco Bay Area"

- Housing supply as a determinate of life style, residential pattern and quality of metropolitan life...the uniqueness of the Bay Area...historical changes in housing supply...new alternatives.

13. Zettel, Ridwell  
"Urban Transportation in the San Francisco Bay Area"

- Need for integrated, coordinated transportation planning in the Bay Area...survey of existing transportation problems...bridges...freeways...rapid transit.

The Institute of Governmental Studies sponsored two other important regional studies in 1963. The first was the Stanley Scott and John Corzine Study entitled, "Special Districts in the San Francisco Bay Area: Some Problems and Issues." One of the major tasks of this report was to list, by type of district and by county, the five hundred special districts (excluding school district, multi-county districts, and irrigation districts) in the Bay Area. The report, prepared at the request of ABAG, deals in depth with the organizational



structure and expenditure patterns of the various types of special districts in the Bay Area.

A second major project sponsored by the Institute of Governmental Studies, in 1963, was the monograph prepared by Mel Scott entitled, "The Future of San Francisco Bay." The in depth analysis of this study will be reserved for the background discussion of the Bay Area Conservation and Development Commission. The Scott report played an important role in mobilizing public and private support for conservation of bay-oriented resources.





## SECTION V

### CURRENT REGIONAL PLANNING IN THE SAN FRANCISCO BAY AREA. (1963-to date)

The creation of the Bay Area Transportation Study Commission in 1963, by the Legislature, signaled a major shift of emphasis for regional planning in the San Francisco Bay Area. Most planning conducted prior to the creation of BATSC had been subregional or area oriented in both scope and content. With the creation of BATSC, however, followed by BCDC and BAY-DELTA in 1965, the emphasis had switched from limited, subregional to comprehensive, regional planning.

The geographical and functional scope of each of the Commissions is extremely broad. Each study area encompasses a minimum of nine counties and in one case (BAY-DELTA) twelve counties.

It is important to note that while the comprehensive scope of each Study Commission represents a change from traditional regional planning efforts, the basic approach is essentially the same. Each Study Commission is simply a "logical" extension of the single-purpose approach to regional planning.

An important development occurred in 1966. The Legislature that year created the Joint Committee on Bay Area Regional Organization



(BARO). The scope of BARO as defined by the Legislature, is the broadest yet for a regional Study Commission. BARO has the option of recommending the creation of a multi-purpose regional government for the Bay Area.

Most of the current publicity about regional planning centers on the activities of the four Study Commissions. The reason for this publicity stems from the fact that the Legislature will review the recommendations made by each of the four commissions during the 1969 legislative session. The remainder of this report concentrates on the four commissions and their recommendations.

The emphasis of the remainder of this report on the operations of the four Study Commissions is not intended to infer that there were no other important regional studies undertaken during the current period. Indeed, many of the federal, state, regional and local governments in the area conduct ongoing regional programs.

Of particular importance in this regard are the ongoing regional planning and research activities of the Association of Bay Area Governments, the Bay Area Council, and the University of California. Section III of this



report lists the major activities of most agencies and organizations active in the San Francisco Bay Area.





BAY AREA TRANSPORTATION  
STUDY COMMISSION

The oldest of the current Study Commissions examining regional problems of the San Francisco Bay Area is the Bay Area Transportation Study Commission. Created in 1963 by the Bay Area Transportation Study Commission Act, BATSC was mandated by the Legislature to conduct a comprehensive transportation study of the San Francisco Bay Area and to prepare a master plan for regional transportation.

As mentioned earlier in the report, prior to the creation of BATSC in 1963, there were numerous efforts in the San Francisco Bay Area to attempt to deal with urban transit problems at the area or subregional level. Planning activity increased in the late fifties with the establishment of two subregional transportation systems--the billion dollar Bay Area Rapid Transit District and the A-C Transit system. Two more subregional transportation planning efforts, the Marin County Transit District and West-Bay Transit, were begun in 1964, the year after the creation of BATSC.

Not all efforts at transportation planning in the Bay Area were as locally oriented as those which created the existing network of subregional transportation systems. Attempts were made prior to BATSC in 1961 to



establish a regional metropolitan transportation agency. Although it would have only covered a six-county area, the proposed Golden Gate Authority would have provided general regional transportation planning and coordination.

After the failure of the proposed Golden Gate Authority, the Bay Area Transportation Coordinating Committee, a Bay Area Citizens organization, continued to press for the creation of a regional transportation agency. To that end they cooperated with the State Highway Transportation Agency in preparing the technical prospectus described earlier in this report. Proponents of regional transportation planning were rewarded in 1963 when the late Senator J. Eugene McAteer, led the cause to create BATSC.

BATSC was specifically mandated by the Legislature to:

conduct a comprehensive Bay Area Transportation Study,

formulate a master Bay Area Regional Transportation Plan, and

find ways and means of implementing the Plan and keeping it current.<sup>1</sup>

In short, BATSC was to, "...bring as much scientific analysis as is possible to bear upon the problems of transportation in a

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<sup>1</sup>Chapter 911, Statutes of 1963



metropolitan region."<sup>2</sup>

The Study Objectives of BATSC are very clearly outlined in the "BATSC Study Design." They are annotated by BATSC as follows:

1. To prepare a master regional transportation plan. The comprehensive study will stress the integration of all transport modes and facilities in an overall plan for the region. It will consider the function of each link in the transport network - the traffic it serves, the ability to meet demands at reasonable cost, the facilities to which it connects, the most appropriate mode of movement - and whether improvements in individual links are also beneficial for the total system. The study will emphasize interactions between land use and transport development and will coordinate its recommended plan with general land use planning and the living environment of the Bay Area.

2. To prepare recommendations for implementing the plan in the form of policy proposals for transport organization, administration, and finance. The comprehensive planning process will be closely coordinated with the projects, plans, and programs of public agencies involved with the administration of transportation services. The study will provide an overview of the separate transport programs and the interaction among them within an integrated framework. The operation of each program will be measured against the objectives of the comprehensive regional plan, and revisions in financial methods, laws, regulations and statutory powers needed to implement the plan will be proposed. These may include suggestions for the reorganization or realignment of transportation functions in the Bay Area.

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<sup>2</sup>Bay Area Transportation Study Commission. BATSC Study Design, January 31, 1966, p. 7, 8.





3. To make provisions for a continuing transportation planning process by proposing the transfer of planning activities to appropriate permanent agencies. Recognizing the need for regular review and amendment of the comprehensive plan and for periodic updating of pertinent data, the study will consider relationships between various groups that are doing transportation and general planning in the Bay Area and recommend the appropriate governmental organization for carrying on a continuing transportation planning process. In evaluating the various governmental possibilities, the study will give attention to public powers and responsibilities related to transportation which might be exercised at the regional level.

4. To achieve coordination among separate planning activities at the regional level in the Bay Area. In inaugurating an area-wide transportation planning program for the entire metropolitan region, the study will provide a regional focus for the planning activities of governments and communities within the Bay Area. The study will maintain continuous working relations with a number of separate planning projects conducted on a regional or sub-regional basis. Especially, it will coordinate regularly with the general regional planning function exercised by the Association of Bay Area Governments, and with the Bay and Shoreline planning program of the Bay Conservation and Development Commission.

5. To develop a basis in analytical methodology and facts on urban travel and land use activities for the benefit of planning activities throughout the Bay Area. The study will take pains to make its vast data base readily available for general use by planning agencies in the area. Detailed forecasts of growth within the region, and technical methods used to develop them, will also be a product of the study and will constitute a major legacy of the Commission to its successor.

6. To meet the requirements in federal law regarding financial aids to highways and mass transportation. In order to qualify





the Bay Area for the continuation of federal transportation grants, the Study will--at the earliest practical time--develop advanced analytical capability to test and evaluate transportation proposals within the framework of a comprehensive regional transportation planning process.<sup>3</sup>

The last function listed deserves special comment. The Federal Government has played a significant role in providing funds for regional studies in general and transportation planning in particular. The Federal Highway Act of 1962 is very explicit in its requirements for the extension of Federal Aid. The Act states:

After July 1, 1965, the (Secretary of Commerce) shall not approve any program for highway projects in any urban area of more than 50,000 population unless he finds that such projects are based on a continuing, comprehensive transportation planning process as carried on cooperatively by state and local communities.<sup>4</sup>

The Federal Urban Mass Transportation Act of 1964 further extends the regional planning requirements for federal aid. A good example of the criteria set by the Federal government in terms of regional planning is seen in the U. S. Bureau of Public Roads' interpretation of the planning requirements set down by the Model Cities and Metropolitan Development Act. Regional planning is interpreted to include:

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<sup>3</sup>Ibid., p. 7.

<sup>4</sup>Sedway Report, op cit., p. 71.



1. Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and provision of public facilities, including transportation facilities;
2. Programming of capital improvements based on a determination of relative urgencies;
3. Long-range fiscal plans for implementing such plans and programs; and
4. Proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planning activities among the State and local governmental agencies concerned.<sup>5</sup>

BATSC early joined with ABAG and the State Department of Public Works in order to fully meet federal regional planning requirements.

Although it is clear that BATSC is in fact a regional authority, the Legislature was very cautious in defining the scope of the study. One very important constraint on the BATSC study was its relationship with existing local and sub-regional Bay Area transportation systems.

The Legislature was careful to instruct the Commission to coordinate its work with existing local, state and federal agencies and that, "...it is not the intention of the

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<sup>5</sup>Bay Area Transportation Study Commission. "Report of Study Group on Transportation Organization and Planning." November 1968, p. 23.



Legislature in any way to interfere with or impede the execution by federal, state or local public agencies of any projects affecting transportation in the Bay Area which have already been planned by such public agencies or which may be planned during the period of the comprehensive transportation study..."

In addition the Act directs the Commission to, "coordinate its work closely with the continuing regional planning program of the Association of Bay Area Governments."<sup>6</sup>

In addition to the four major sub-regional government transportation systems previously mentioned, (BARTD, A-C Transit, Marin Transit, and West-Bay Transit), the following are currently conducting significant transportation studies in the San Francisco Bay Area:

1. Northern California Demonstration Project.
2. State Division of Highways.
3. Association of Bay Area Governments.
4. California Toll Bridge Authority and Division of Bay Toll Crossing.
5. Golden Gate Bridge and Highway District.
6. Santa Clara County Transportation Planning Study.

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<sup>6</sup>Chapter 911, Statutes of 1963.





7. Contra Costa County Land Use and Transportation Planning Program.<sup>7</sup>

In addition, the following private companies operate mass transportation systems in the Bay Area:

1. Southern Pacific Commuter Service.
2. Greyhound Commuter Service.<sup>8</sup>

### Organization

BATSC has a governing Board of thirty-seven appointed members. The Commission is composed of seven Commissioners-at-large; two members each from the State Senate and Assembly; four representatives from local special districts (ABAG, A-C Transit, BARTD, and Golden Gate Bridge District); eighteen members selected from Bay Area cities and counties, (one from each county, and one city representative selected from a council of mayors within each county); and four ex-officio members (State Planning Officer, Administrator, State Transportation Agency, Division Engineer, U. S. Bureau of Public Roads, and Regional Director, U. S. Department of Housing and Urban Development).

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<sup>7</sup>San Francisco Bay Conservation and Development Commission. "Surface Transportation On and Around San Francisco Bay," by George E. Reed, Associate Planner. February 1968, pp. 93-108.

<sup>8</sup>BATSC. Study Group on Transportation. Op cit., p. 95.



In addition, a "blue-ribbon" citizens' advisory committee composed of fifty prominent Bay Area residents aids the BATSC Commission and staff.

The actual course of the BATSC study was divided into four broad "phases" of development:

- a. Data inventory and data base
- b. Sketch planning
- c. Urban simulation analysis
- d. Plan selection implementation and reporting.

From the beginning, the BATSC study was designed to be a sophisticated effort. The staff indicated reliance on only the most advanced, sophisticated data processing and retrieval systems. The first phases of the study involved the design and implementation of a complex data retrieval software and hardware system with designed capacities to meet the data needs of much of the regional planning community.

The second phase (sketch planning) and third phase (urban simulation analysis) have been combined. The final phase will be completed upon submission of the final BATSC plan.<sup>9</sup>

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<sup>9</sup>BCDC. Transportation. Op. cit., p. 95.



Major Reports and  
Publications

BATSC publications available  
for release:

Fairman, Gibson W.; Larson, Dean E.; Meyer, Isaiah, Procedural Manual for Speed-Volume Runs, BTR 206, September, 1966.

Loubal, Peter S., Assignment of Traffic to Critical Links of a Network, BTM 216, November, 1966.

Roberts, Noreen J.; Miller, Robert J., Development and Analysis of Complex Data Files in a Regional Transportation Study, BP 201/00/01, June, 1967. Presented at the Council of Social Science, Data Archives Annual Conference, Los Angeles.

Rogers, Andrei, An Investigation of Retail Land Use Forecasting Models, BTR 203, December, 1965.

Fairman, G. W.; Drosendahl, Richard; Grady, Kathleen, Home Interview Manual, November, 1965.

Land Use Inventory Field Listing Manual, BTR 214.

Land Use Inventory Precoding Manual, BTR 204.

Land Use Inventory Classification Manual, BTR 209.

Land Use Inventory Graphic Digitizer Manual, BTR 210.

Information Base

Land Use Inventory Procedural Manual, BTR 215.

Home Interview Coding Manual, BTR 208

EMPRO: BATSC Employment Projections, April, 1968, BTR 218.



External Cordon and Screen Line Surveys Manual, BTR 211.

Employment Inventory Manual, BTR 212.

SPILLOVER - A Model For Projecting Regional Employment, BTR 216.

BATSC Locational Model System with Planning Constraints, September, 1968.

BATSC Locational Model System with Planning Constraints, BTM 222.

BATSC Locational Model System with Planning Constraints, BTM 219.

Truck - Taxi Survey Manual, BTR 217.

Report of Study Group on Transportation Organization and Planning, November 21, 1968.

Report of Study Group on Innovations and Novel Systems or Urban Transportation, October, 1968.

BATSC Locational Model System, August, 1968.





BAY AREA CONSERVATION  
AND DEVELOPMENT  
COMMISSION

The second major Study Commission designed by the California Legislature to study regional problems of the San Francisco Bay Area is the San Francisco Bay Conservation and Development Commission (BCDC). Created by the McAteer-Petris Act of 1965, BCDC was mandated to conduct a detailed study of the San Francisco Bay, directed towards developing a comprehensive plan for both conservation and development of tide and shore lands. In addition, BCDC was instructed by the Legislature to enforce controls on Bay fill to be in effect during its study tenure.

The creation of BCDC in 1965 was the result of years of activity by state and local officials and conservationists in pursuit of regional controls to prevent the continued diking and filling of Bay tide and shore lands.

The concern expressed for the future of San Francisco Bay is based upon an impressive amount of factual data. The Bay in 1850 consisted of approximately 680 square miles of water surface. Today, the tidal system of the Bay has been reduced to less than 400 square miles.<sup>10</sup>

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<sup>10</sup>San Francisco Bay Conservation and Development Commission. Facts About the Bay., p. 1.



While the loss of more than 280 square miles of Bay by diking and filling is important, what is more significant is that 70% of the remaining surface is less than 18 feet at mean lower low-water. Therefore,

if all the relatively shallow parts of the Bay were filled--those parts shown by the U.S. Army Corps of Engineers to be "susceptible of reclamation"--the Bay would consist of only 187 square miles; in some places it would be little more than a river.<sup>11</sup>

One particularly relevant fact is that most of the shallow water tidlands are owned by or are under lease to the private sector.

The general ownership pattern of Bay tide and shore land is as follows: (see Exhibit 4)

Federal Government - (5%) Most of the lands claimed by the Federal Government are offshore from existing and past military installations. (See Exhibit 5)

State - (50%) Ownership of half of the Bay is retained by the state in use either by its many departments or agencies or administered by the State Lands Division. (See Exhibit 5)

Local Government - (23%) The State has issued tideland grants totaling 23% of the Bay to cities, counties and special

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<sup>11</sup>Ibid.



EXHIBIT 4  
GENERAL PATTERN OF OWNERSHIP IN SAN FRANCISCO BAY

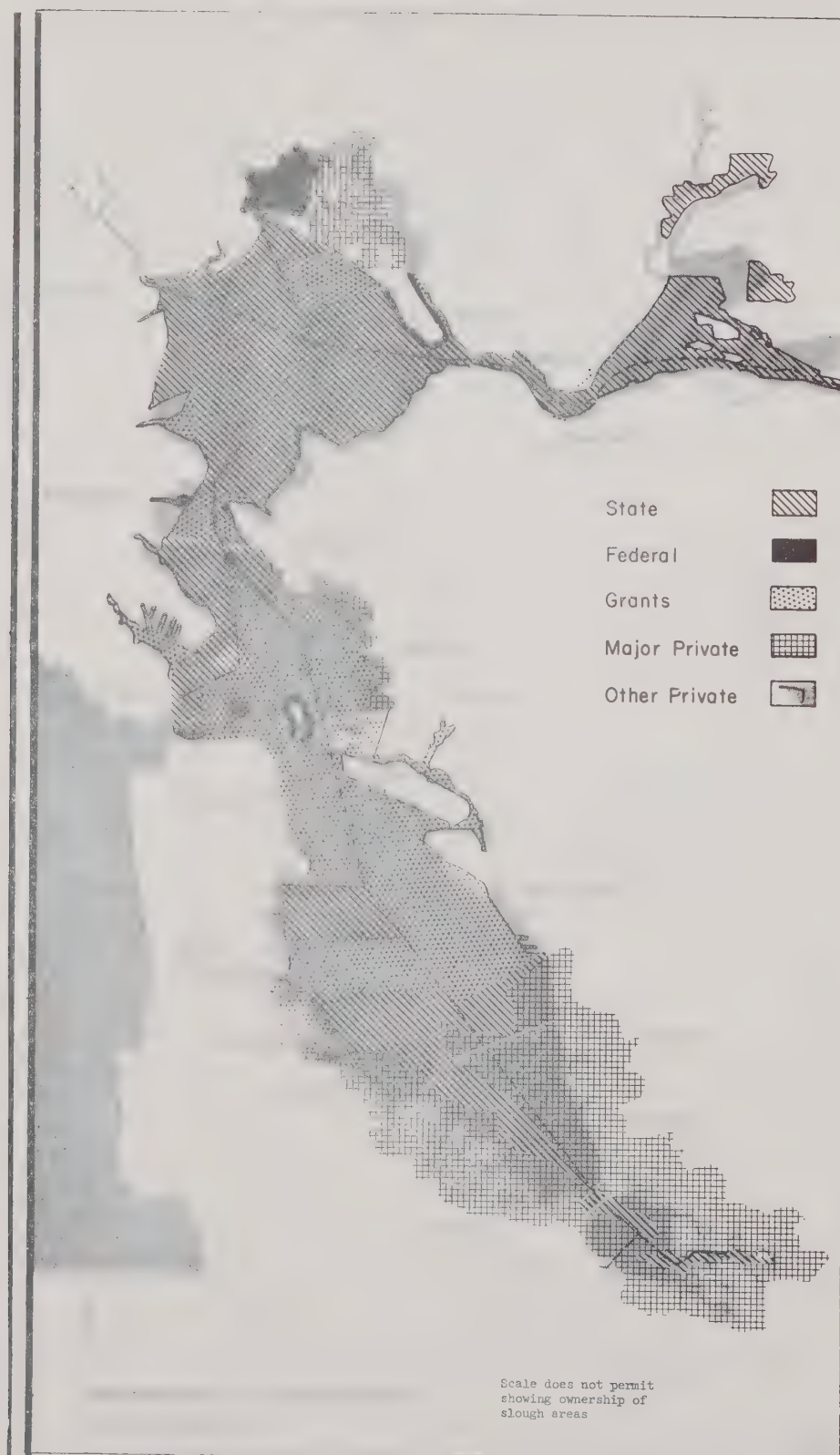
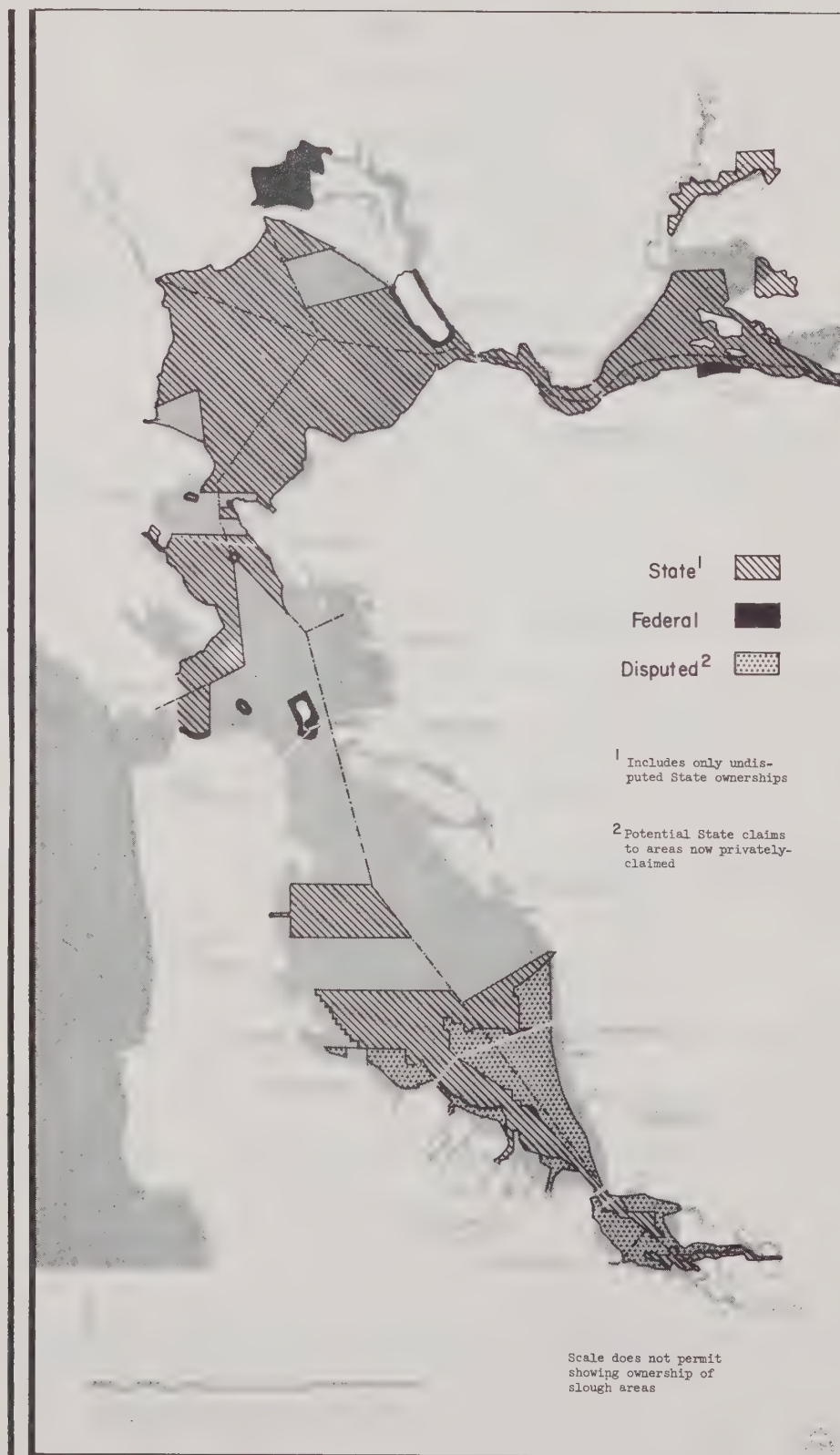






EXHIBIT 5  
STATE AND FEDERAL LANDS IN SAN FRANCISCO BAY





districts. The San Francisco and Oakland Port Authorities hold title to the largest of these grants. Many of the grants to cities and counties have recently become points of controversy over rights to fill and develop. (See Exhibit 6)

Private - (22%) There are presently over 2,000 parcels of privately held land in the Bay. The three largest holders of lands are: (See Exhibit 7)

(1) Leslie Salt Company--52,000 acres of Bay salt ponds, and adjacent land in the South Bay.

(2) Ideal Cement Company--20,000 acres of South Bay - presently 10,000 acres have been deeded to the joint venture of Westbay Community Associations.

(3) Atchison, Topeka and Santa Fe Railway claims 3,400 acres of North Bay shoreline.<sup>12</sup>

The complex ownership pattern of Bay lands has contributed greatly to the difficulties of providing overall control over Bay fill and development.

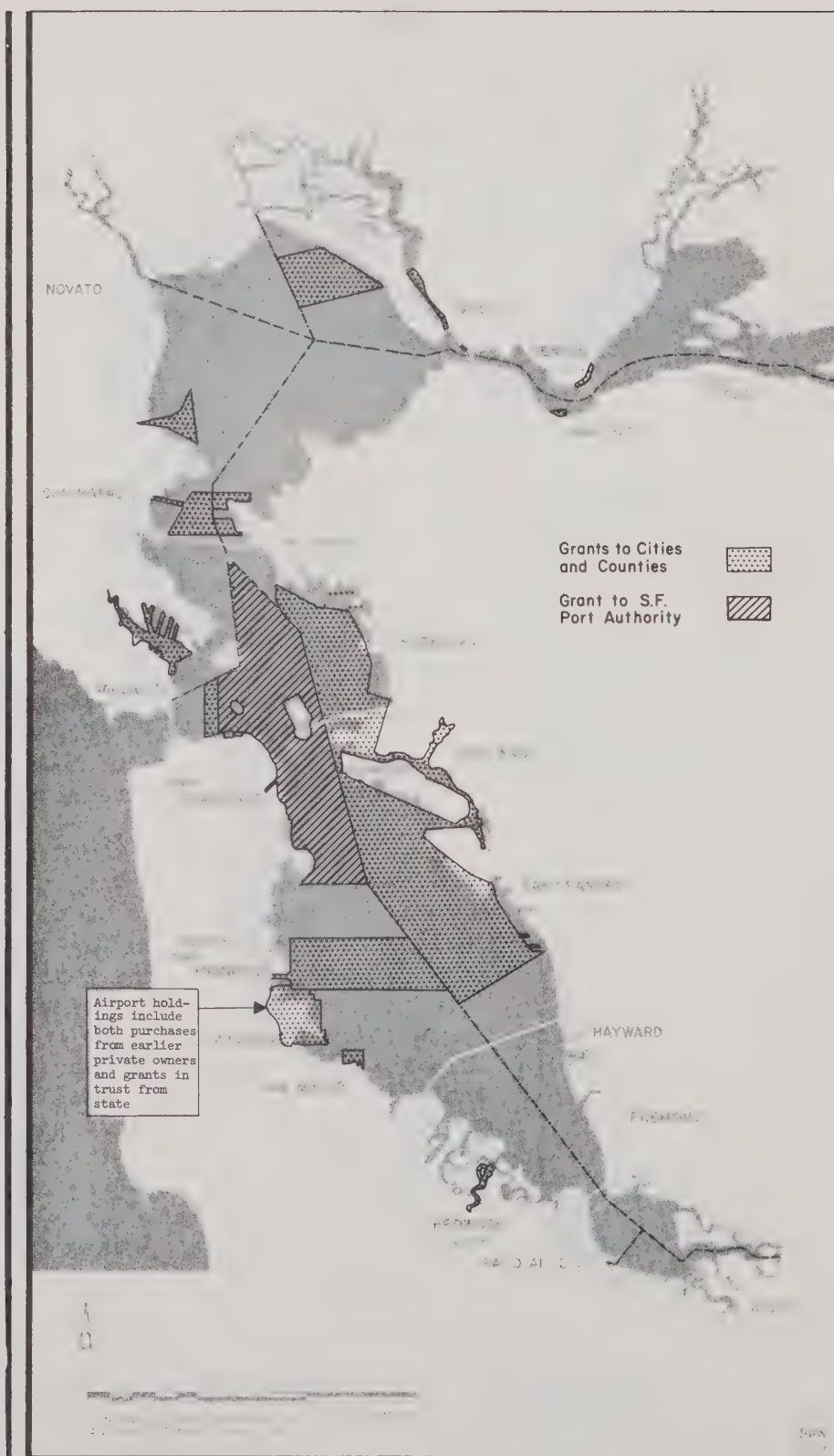
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<sup>12</sup>San Francisco Bay Conservation and Development Commission. "Ownership," by BCDC Staff under direction of Alvin H. Baum, Jr., Deputy Director., p. 12.



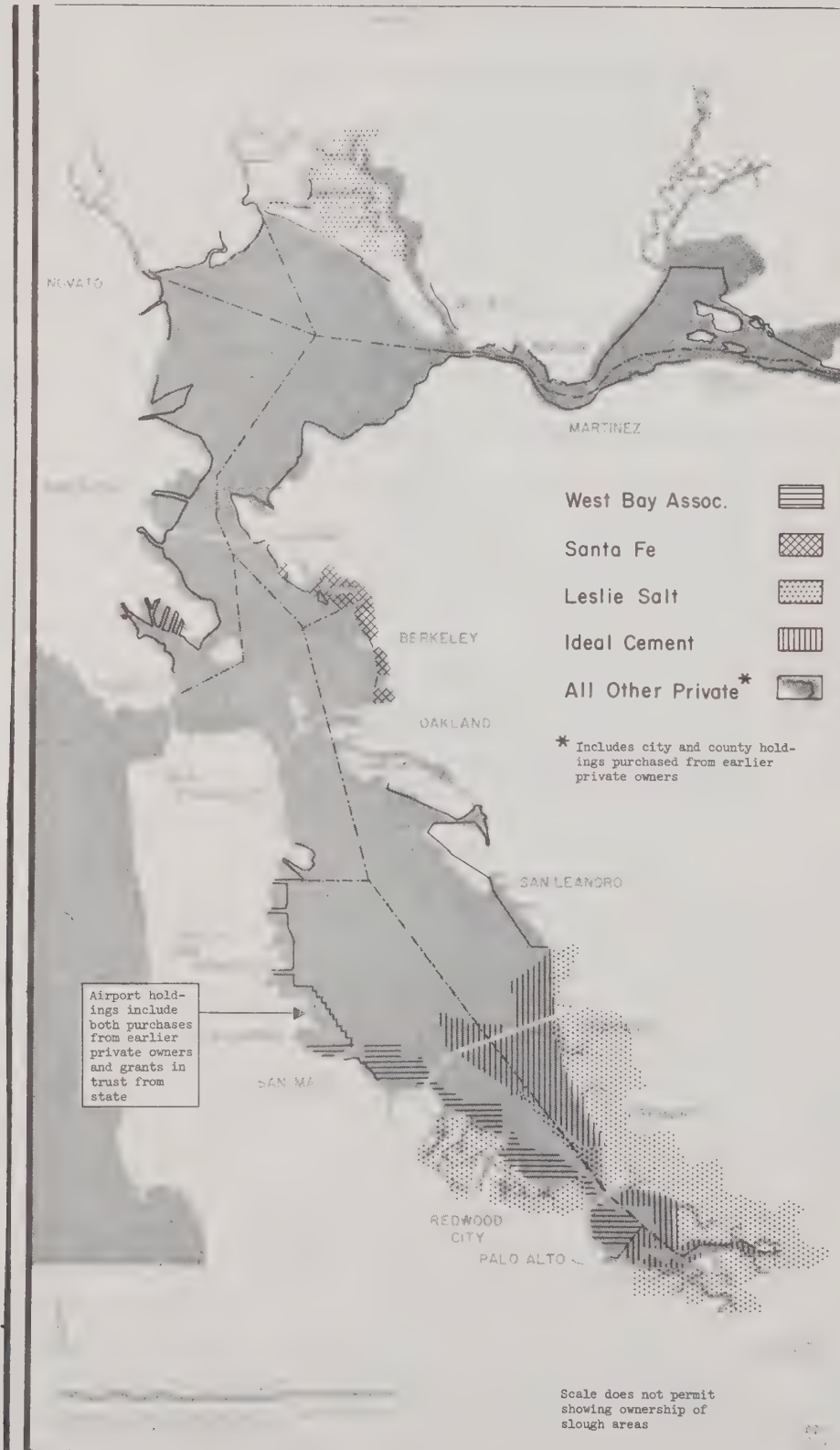
EXHIBIT 6

LANDS IN SAN FRANCISCO BAY GRANTED TO CITIES, COUNTIES, AND  
SAN FRANCISCO PORT AUTHORITY





**EXHIBIT 7**  
**PRIVATELY-CLAIMED LANDS IN SAN FRANCISCO BAY**







## Background

Official attention to the problems of tidelands in the Bay Area was first given in 1949 with the creation of the Assembly Tidelands Reclamation Committee. Intermittently for the next fourteen years, proposals to create a regional Bay planning authority were introduced and defeated in the Legislature.<sup>13</sup>

In 1963 the growing crisis of Bay Conservation received statewide attention with the publication of Mel Scott's, The Future of San Francisco Bay. Professor Scott writes,

Although this great body of water is singularly indivisible in its tidal movements, marine life, overall scenic importance, and its beneficial effect on the climate of the metropolitan region, cities and counties fashion piecemeal plans for shoreline development with little or no regard for the essential unity of the Bay. Without any comprehensive plan to guide their efforts, these governments, as well as state and federal agencies, prepare programs for carrying out their individual schemes or permit private owners of tidelands and submerged lands to develop projects within the context of uncoordinated local plans. The whole process is rapidly resulting in the destruction of economic, scenic, and recreational values that should be conserved in the broader public interest, not to mention the interests of individual local governments and private developers.<sup>14</sup>

Events accelerated rapidly after the Scott report was released. In the Fall of 1963,

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<sup>13</sup>California Legislature. Assembly Interim Committee on Natural Resources, Planning, and Public Works (Planning Subcommittee). Filling San Francisco Bay. San Francisco, California, October 22-23, 1963.

<sup>14</sup>Scott, Mel. The Future of San Francisco Bay. Institute of Governmental Studies, University of California, Berkeley, September 1963, p. 92.



the Planning Subcommittee of the Assembly Interim Committee on Natural Resources, Planning and Public Works held extensive public hearings in San Francisco on the topic of Filling San Francisco Bay.

In 1964, a bill was introduced and passed by the California Legislature (SB 14, which became Chapter 90, Statutes of 1964) which created the San Francisco Bay Conservation Study Commission.

The Study Commission was given three major tasks by the Legislature:

- (a) to ascertain the public interest in San Francisco Bay;
- (b) to study the effects of further filling of the Bay;
- (c) to recommend to the 1965 Legislature measures to protect the public interest in the Bay.<sup>15</sup>

The Study Commission reported to the 1965 Session of the Legislature. In its findings, the Commission defined the public interest in San Francisco Bay to include:

- a. The Bay is a large body of water that is the most prominent physical feature of an entire region. The Bay gives character, beauty, and even the name to the Bay Area. The Bay is, in most places, something pleasant to look at, an attraction for visitors, and something that adds economic value to homes and offices with a view of it.

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<sup>15</sup>San Francisco Bay Conservation Study Commission, San Francisco Bay. January, 1965, p. 7.



- b. The Bay is a medium of transportation. It is a waterway for all types of ships and boats, an open area over which aircraft may fly, and, through well-planned filling, a space for present and future docks, airports, heliports, bridges, and roadways.
- c. The Bay is a source of recreation. It is an area for hunting, sport fishing, boating, and swimming. Along its shores, observation areas and scenic drives may be created.
- d. The Bay is a home for fish and wildlife. It is the habitat of many species of commercial and sport fish, and its tidelands and marshlands provide breeding and feeding grounds for birds on the Pacific Flyway from Canada to Mexico.
- e. The Bay is a site, through selective filling, for homes, apartments, industries, factories, and other facilities that provide jobs, purchasing power, and tax bases.
- f. The Bay is a receptacle for refuse, sewage, and rainfall runoff.
- g. The bay is a part of the natural air-conditioning that helps regulate the climate of the region.
- h. The Bay is a resource for the extraction of minerals, sand, and gravel. It is also a potential source of water for desalinization.
- i. The Bay is one of the world's great harbors. It is used by merchant ships from all the nations of the free world and by the U. S. Navy, which has large bases fronting on its waters.<sup>16</sup>

In addition, the Study Commission found, in relation to the effects of continued unrestricted diking and filling of the Bay,

The present uncoordinated, haphazard manner in which the Bay is being filled threatens the Bay itself, and is therefore

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<sup>16</sup>California Legislature. Joint Committee on Tidelands. Tidelands Problems of San Francisco Bay. January 1967, p. 3.





inimical to the welfare of both present and future residents of the area surrounding the Bay.

And further that,

Further piecemeal filling of the Bay may place serious restrictions on navigation in the Bay, may destroy the irreplaceable feeding and breeding grounds of fish and wildlife in the Bay, may adversely affect the quality of Bay waters, and even the quality of air in the Bay Area, and would, therefore, be harmful to the needs of the present and future population of the Bay Region.

Finally, the Study Commission stated that,

In order to protect the public interest in the San Francisco Bay, a new regional approach is necessary.<sup>17</sup>

The 1965 Session of the Legislature accepted the Study Commission's report by passing the McAteer-Petris Act creating the San Francisco Bay Area Conservation and Development Commission. In the text of the law, the intent and concern of the Legislature is clear.

66600. The Legislature hereby finds and declares that the public interest in the San Francisco Bay is in its beneficial use for a variety of purposes...It is therefore declared to be in the public interest to create a politically-responsible, democratic process by which the San Francisco Bay and its shoreline can be analyzed, planned and regulated as a unit.

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<sup>17</sup>Ibid., p. 7.



66601. The Legislature further finds and declares that the present uncoordinated, haphazard manner in which the San Francisco Bay is being filled threatens the Bay itself and is therefore inimical to the welfare of both present and future residents of the area surrounding the Bay... and that further piecemeal filling of the Bay may place serious restrictions on navigation in the Bay, may destroy the irreplaceable feeding and breeding grounds of fish and wildlife in the Bay, may adversely affect the quality of Bay waters and even the quality of air in the Bay Area, and would therefore be harmful to the needs of the present and future population of the Bay region.

The Legislature assigned three basic tasks to BCDC. These were:

1. to make a detailed study of the San Francisco Bay;
2. to prepare a comprehensive and enforceable plan for the conservation of the waters of the Bay and the development of its tide and shoreline;
3. to protect the present Bay waters and shoreline during the study and planning period by issuing or denying, after public hearings, permits for all fill or excavation projects.

### Organization

The Bay Commission Board is composed of twenty-seven appointed members representing state, local and federal governments, as well as representatives of the general public. The Commission and administrative staff were aided by a nineteen-member advisory committee.



The breakdown of membership of the Bay Commission is as follows:

1. Public Representatives (7) - 5 appointed by the Governor; 1 appointed by the Speaker of the Assembly; and 1 appointed by the Senate Rules Committee.
2. Federal Representatives (2) - 1 appointed by the Army Corps of Engineers and 1 appointed by the Secretary of Health, Education and Welfare.
3. State Representatives (6) - Representing BATSC, San Francisco Bay Regional Water Quality Control Board, State Lands Commission, State Planning Office, State Resources Agency, State Transportation Agency.
4. Local (12) - 1 from each county, appointed by the County Boards of Supervisors; 3 city, appointed by the Association of Bay Area Governments.

### The Bay Study

The first task of BCDC was to conduct an intensive detailed study of San Francisco Bay. The scope of the study was to be comprehensive and to include:

All the characteristics of the Bay, including the quality, quantity and movement of Bay waters, the ecological balance of the Bay, and the economic interests in the Bay, including the needs of the Bay Area population for industry and for employment; that the study should include the requirements of industry that would not pollute the Bay and interfere with its use for recreation or other purposes, but would need sites near deepwater channels or would need large supplies of water for their manufacturing processes; that the study should examine all present and proposed uses of the Bay and its shoreline, and should give consideration to the master plans of cities and counties around the Bay;...<sup>18</sup>

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<sup>18</sup>California Statutes, 1965, Chapter 1162.



The geographical boundaries of the study are defined by law to include:

...the shoals outside the Golden Gate and the water areas from the south end of the bay to the Golden Gate and to the Sacramento River line (Simmons Point-Stake Point in Suisun Bay) and, specifically, the marshlands (land lying between mean high tide and five feet above mean sea level); tidelands (land lying between mean high tide and mean low tide); and submerged lands (land lying below mean low tide), but excluding from the marshlands, tidelands and submerged lands those lands which are not subject to tidal action.

The basic study of the Bay was handled by BCDC in a somewhat unique fashion. The first step was to identify major variables which help make up the basic environment of the Bay. Then, each identifiable component became a separate but interrelated subject for study. Each sub-study was either conducted by BCDC staff or contracted to qualified experts.

The end result of this procedure was that the BCDC study of the San Francisco Bay was composed of a series of interrelated sub-studies. They are as follows:

1. Tidal Movement  
"The Tides of San Francisco Bay"  
Bernard J. Smith  
Staff Engineer





2. Sedimentation  
 "Sedimentation Aspects of San Francisco Bay"  
 Bernard J. Smith  
 Staff Engineer
3. Pollution  
 "Water Pollution and San Francisco Bay"  
 BCDC Staff
4. Fish and Wildlife  
 "Preliminary Fish and Wildlife Plan for San Francisco Bay - Estuary"  
 State Department of Fish and Game
5. Marshes and Mud Flats  
 "Some Ecological Aspects of San Francisco Bay"  
 Dr. H. Thomas Harvey  
 Professor of Biology  
 San Jose State College
6. Flood Control  
 "Flood Control in the San Francisco Bay System Tidal Plain"  
 Bernard J. Smith  
 Staff Engineer
7. Smog and Weather  
 "Smog and Weather: The Effects of San Francisco Bay on the Bay Area Climate"  
 Albert Miller  
 Professor of Meteorology  
 San Jose State College
8. Salt, Sand, Shells and Water  
 "Salt, Sand and Shells: Mineral Resources of San Francisco Bay"  
 Harold B. Goldman  
 Senior Geologist  
 State Division of Mines and Geology
9. Appearance and Design  
 "Appearance and Design: Principals for Design and Development of San Francisco Bay"  
 Rai Y. Okamoto and William H. Liskamm  
 San Francisco Architects and Planners
10. Geology  
 "Geology of San Francisco Bay"  
 Harold Goldman  
 Senior Geologist  
 State Division of Mines and Geology



11. Fill  
 "Seismic Problems in the Use of Fills  
 in San Francisco Bay"  
 H. Bolton Seed  
 Professor of Engineering  
 University of California  
  
 "Seismic Risk to Buildings and  
 Structures on Filled Lands in San  
 Francisco Bay"  
 Karl V. Steinbrugge  
 Structural Engineer  
  
 "Bay Mud Developments and Related  
 Structural Foundations"  
 Lee and Praszker  
 Consulting Engineers
12. Economic and Population Growth  
 "Economic and Population Growth in  
 the San Francisco Bay Area"  
 Clifford W. Groves  
 Associate Planner  
 BCDC
13. Ports  
 "Maritime Commerce in the San  
 Francisco Bay Area"  
 Clifford W. Groves  
 Associate Planner  
 BCDC
14. Airports  
 "Air Transportation and San Francisco  
 Bay"  
 Clifford W. Groves  
 Associate Planner  
 BCDC
15. Transportation  
 "Surface Transportation On and Around  
 San Francisco Bay"  
 George E. Reed  
 Associate Planner  
 BCDC
16. Recreation  
 "Recreation On and Around San  
 Francisco Bay"  
 BCDC
17. Waterfront Industry  
 "Waterfront Industry Around San  
 Francisco Bay"  
 Dr. Dorothy Muncy, Arlington, Va.  
 City Planner specializing in  
 Waterfront Industrial Planning



18. Waterfront Housing  
 "Residential Development Around  
 San Francisco Bay"  
 Clifford W. Groves  
 Associate Planner  
 BCDC
19. Public Facilities and Utilities  
 "Public Facilities and Utilities  
 In and Around San Francisco Bay"  
 Clifford W. Groves  
 Associate Planner  
 BCDC
20. Refuse Disposal  
 "Solid Waste Disposal and San  
 Francisco Bay"  
 David M. Stevens  
 Assistant Planner
21. Ownership  
 BCDC Staff  
 Under Direction of Alvin H. Baum, Jr.  
 Deputy Director
22. Powers  
 - Seven volumes on Powers and Money  
 Needed to Carry Out the Bay Plan  
 Baxter, McDonald & Company  
 Consultants in Planning and Management  
  
 Robert E. Grunwald  
 Grunwald, Crawford & Associates,  
 Hanford  
 Resource Planners  
  
 I. Michael Heyman  
 Professor of Law  
 University of California at Berkeley  
  
 Maury Holmes  
 Real Property Appraiser  
 Oakland  
  
 Mrs. Roselyn B. Rosenfeld  
 Attorney-at-law  
  
 Paul H. Sedway  
 Thomas Cooke  
 Sedway/Cooke, San Francisco  
 Urban and Regional Planners





23. Government  
 "Government: Regional Organization for  
 Bay Conservation and Development"  
 Stanley Scott  
 John C. Bollens  
 University of California
24. Review of Barrier Proposals  
 "Review of Barrier Proposals for  
 San Francisco Bay"  
 Richard W. Karn  
 Bissell and Karn Inc.  
 Civil Engineers
25. Oil and Gas Products  
 "Oil and Gas Products for San  
 Francisco Bay"  
 Peter A. Stronberg  
 Assistant Planner

#### Permit Function

Perhaps the most controversial of the powers and duties granted BCDC related to the controls on Bay fill to be in effect during the life of the BCDC study. The controls were to be enforced through a system of permits. Permits would be granted after public hearing by the BCDC Commission for "approved" fill and Bay development projects. Section 66632 of the McAteer-Petris Act defines the conditions under which a permit may be granted.

A permit may be granted for a project if the project is either:

(1) necessary to the health, safety or welfare of the public in the entire Bay Area, or

(2) of such a nature that it will not adversely affect the comprehensive plan being prepared.



A number of permit requests have been acted upon over the three-year life of BCDC. As of mid-December, 1968, a total of sixty-two requests for permits had been received by the Commission. Of the requests, forty-eight were granted. Ten requests were denied and four were withdrawn prior to consideration.

In terms of fill, a total of 362 acres of fill have been approved. The major uses of the 362 acres of fill breaks down in the following manner:

179 acres for expansion of San Francisco International Airport;

75 acres for extension of the Oakland Airport runway;

11 acres for Palo Alto Airport.

The remaining fill permits authorized various public park and marine improvement recreational development.

In addition, the Executive Director of BCDC has granted, as provided by law, a number of permits for small-boat piers, dredging, and other non-fill improvements. As of mid-December, the Executive Director had granted 162 permits.

### The Plan

The details of the "...comprehensive and enforceable plan for the conservation of the waters of the Bay Area and development of its tide and shoreline" as prepared by BCDC, will be discussed in Section Five of this report.



SAN FRANCISCO  
BAY-DELTA WATER  
QUALITY CONTROL  
PROGRAM

The third major Study Commission designed by the Legislature to study regional problems of the San Francisco Bay Area is the San Francisco Bay-Delta Water Quality Control Program (BAY-DELTA). Created in 1965 by the Water Pollution Control Act, the BAY-DELTA Study Program was designed to determine what could be done to correct and prevent damage to the waters of the San Francisco Bay-Delta Area caused by drainage and waste-water discharge or by any other activity that could contribute to water contamination and water pollution.

The creation of the BAY-DELTA study under the jurisdiction of the State Water Quality Control Board signaled the recognition by the Legislature of the impending sharp increase in municipal and industrial waste discharges in the years ahead. This will compound the problem currently existing with waste discharges already exceeding prudent limits.

Although there is an extensive background of concern with water quality in the San Francisco Bay Area, new concern was activated by the report published by the U. S. Corps of Engineers in 1963, dealing with San Francisco Bay barriers.<sup>19</sup> Among

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<sup>19</sup>U. S. Army Corps of Engineers. Technical Report on Barriers. San Francisco, California, July 1963.



other things, the report indicated a need for an improved waste disposal system for the Bay Area.

The Corps of Engineers Report of 1963 was followed by an interim study undertaken that same year by the Assembly Water Committee's Subcommittee on Water Pollution. In 1964, the recommendations of the Interim Committee were released. The Committee recommended that the State Water Quality Control Board impanel a group of technically qualified outside consultants to perform the following tasks:

- (1) Identify the studies now under way that are concerned with waste disposal in the San Francisco Bay Area, establishing the scope, timing and objectives of each,
- (2) Review the data now being collected on waste disposal in the San Francisco Bay Area,
- (3) Review the proposals for studies to be undertaken in the future by all agencies having an interest and responsibility, and
- (4) Recommend such additional data and studies or investigations as may be needed to permit development of a long-range plan and solution for the problems associated with disposition of San Joaquin Valley waste waters, San Francisco Bay wastes and other related wastes.<sup>20</sup>

In 1965, the State Water Pollution Control Act was passed by the Legislature and

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<sup>20</sup>California Legislature. Reports of Subcommittee on Water Pollution. Assembly Interim Committee Reports, State of California, Vol. 26, No. 11, 1963-1965.





signed into law by the Governor. The law provided for the preparation of a comprehensive master plan for control of water pollution in the San Francisco Bay. The Water Pollution Control Law of 1965 sets forth four principle objectives for the study program. As annotated in the BAY-DELTA "Preliminary Report Prospectus" these objectives are:

1. "A comprehensive study of the effects of waste and drainage water discharges into the waters of the San Francisco Bay Delta Area..." This will include studies of water quality, fish and wildlife, water development and drainage projects, and the effects of filling and reclamation of waterfront lands.
2. "A determination of the need for, and the feasibility of, a comprehensive multiple purpose waste collection and disposal system serving the entire San Francisco Bay Area..." This will require, among other things, evaluations of population growth and economic development, patterns of land use, amounts and kinds of wastes, the feasibility of producing reusable water from wastes, stream flow, tidal and flushing characteristics, benefits, and costs.
3. "Development of the basic features of a comprehensive plan for the control of water pollution..." This plan is to be a system for the collection, reclamation, treatment, and disposal of waste and drainage water discharges into the waters of the San Francisco Bay-Delta Area in the most effective and economic manner. Methods of financing the overall water quality program and basis for allocating costs will be included.



4. "Preparation of reports to be submitted to the Legislature..."  
Included in these reports, among other things, will be recommended methods of regional waste collection and disposal, recommended governmental authority, cost estimates and recommended cost allocations among beneficiaries, and a proposed schedule for the development of the various phases of the overall plan.<sup>21</sup>

### The Study Area

The principal study area is defined to include San Francisco, San Pablo, Suisun Bays and their watersheds, and the Sacramento-San Joaquin Delta and all their channels. All or part of twelve counties--Napa, Solano, Sonoma, Marin, San Francisco, Alameda, Contra Costa, Sacramento, Yolo, San Joaquin, San Mateo and Santa Clara--are included in the geographical scope of the study area. The growth projections for the twelve county San Francisco Bay-Delta Central Valley Area indicate the magnitude of developing problems in waste disposal. There were six million people living in the study area in 1960. In 2020 the population is anticipated to exceed twenty-three million. The six million acres of irrigated land in the study area in 1960 will increase to nine million in 2020; and the one million acre feet municipal and industrial water needs will increase to six million in 2020.<sup>22</sup>

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<sup>21</sup>San Francisco Bay-Delta Water Quality Control Program. Preliminary Report and Prospectus. State Water Quality Control Board, February 1966, p. 17.

<sup>22</sup>Ibid., p. 1.



In addition to the primary study area, there are secondary areas which will be included in the scope of the project. Sources of drainage and waste waters originating in areas adjacent to the primary study area will be included in the study as well as coastal waters which might be affected by the alternative disposal systems under investigation.

The BAY-DELTA Study functions as a special operation within the overall scope of the State Resources Agency. The BAY-DELTA's parent organization is the State Water Resources Control Board. In terms of internal organization, the Water Pollution Control Act of 1965:

- (1) a steering committee composed of representatives of fourteen interested State agencies and a representative of the Association of Bay Area Governments to assist in the establishment and execution of the BAY-DELTA study;
- (2) created a technical coordinating committee chaired by the Executive Officer of the State Water Quality Control Board and composed of representatives of interested state and federal agencies; and
- (3) empowered the State Water Quality Control Board to employ expert consultants. Further, the law requires the submission to the Legislature of three reports on the Bay-Delta Study, the first, a preliminary report in prospectus, was submitted to the Legislature in January 1966. The second is a progress report to be submitted in January 1967 and the third, a final comprehensive report to be submitted in January 1969.<sup>23</sup>

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<sup>23</sup>California, State of. Summary Background Information on the San Francisco Bay-Delta Program., p. 2.





The staff of the BAY-DELTA Study was small by comparison to the other Study commissions. It was decided early that much of the technical work would be contracted to both private and public consultants with various areas of expertise. Most of the work which went into developing the comprehensive plan was contracted to Kaiser Engineers of Oakland. Kaiser functioned as the master contractor. They subsequently subcontracted much of the work to the following consultants:

Engineering-Science, Inc., Oakland  
and Arcadia;

Water Resources Engineers of Walnut  
Creek;

North American Rockwell, Los Angeles;

Stone and Youngberg, San Francisco;

Baxter and MacDonald, Berkeley;

Dr. Irman A. Pearson of the University  
of California was the principal consul-  
tant to the Kaiser group.

Numerous public institutions and government agencies played important roles in the development of the study program. A partial listing of these would include:

University of California, Center for  
Real Estate and Urban Economics

California Department of Public Health

California Department of Fish and Game



California Department of Water Resources  
San Francisco Bay Conservation and  
Development Commission

Three principles were adhered to in the development of a comprehensive plan for the Bay Area by the BAY-DELTA Study. Relating to water quality, these three principles are:

1. Achievement and preservation of water quality to serve all beneficial uses of the area should be a paramount guide.
2. There is no "right to pollute." A waste discharger should not have or acquire a right to the improperly controlled discharge of wastes so as to degrade the quality of water resources.
3. A comprehensive plan, including its water quality objectives, should be designed to yield the highest net economic and social uses of water in the study area.<sup>24</sup>

The BAY-DELTA Study was required to submit its final report to the Legislature in 1969. The final report must contain:

1. Recommendations for a regional waste collection, treatment and disposal system and other means of maintaining proper water quality levels.
2. Estimates of overall cost for the construction and operation of the recommended plan.
3. Recommendations for the form of government entity or authority best able to further develop and implement a water pollution control plan and program.

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<sup>24</sup>From a Speech delivered by Raymond Walsh entitled "San Francisco Bay-Delta Water Quality Control Program - A Status Report," August 28, 1968.



4. Recommendations as to equitable apportionment of the cost of development and construction and operation among beneficiaries of the plan.
5. Recommendations as to schedule for development of the various phases of the plan.
6. Delineation of the major subject areas, with estimates of further development of a comprehensive water pollution and quality control plan for the BAY-DELTA Area.<sup>25</sup>

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<sup>25</sup>Summary Background, op. cit., p. 2.



JOINT COMMITTEE ON  
BAY AREA REGIONAL  
ORGANIZATION

The Joint Committee on Bay Area Regional Organization (BARO), was created in 1967 (SCR 41), "to study the need, desirability and feasibility of establishing a regional organization in the San Francisco Bay Area in order to insure the regions effective and orderly planning, growth and development, and to conserve environmental resources."

The logic behind the creation of BARO is clearly stated in the enabling Senate Concurrent Resolution.

It is hereby found and declared that there is as yet no governmental body or bodies capable of permanently and effectively dealing on a regional basis with the regional problems facing the San Francisco Bay Area, and that there is a need to coordinate the steps being taken by the cities, counties, and districts of the San Francisco Bay Area to avoid duplication of effort and make possible the public understanding of regional problems, and to make better use of the region's resources and potential.

The creation of BARO can be traced directly to efforts by the Association of Bay Area Governments during the 1966 and early 1967 Legislative Session to provide for more effective regional planning. ABAG recognized the need for a limited, general-purpose regional government with powers and responsibilities





mandated by statute. In a statement prepared for submission to the Legislature in 1967, ABAG stated, "The Association believes that development of a limited function, general purpose, regional home rule government is vital to the present and future well being of the San Francisco Bay Area and its citizens."<sup>26</sup>

Part of ABAG's concern was motivated by their awareness of the need to coordinate and review the final recommendations of the three Study Commissions reporting to the Legislature in 1969. In addition, any specially constituted authority would also be expected to review ABAG's own proposals for regional government as embodied in both the Preliminary Regional Plan and the statement on Regional Home Rule and Government in the San Francisco Bay Area presented to the 1967 session.

It is important at this point to restate the significance of the creation of BARO. BCDC, BATSC, and BAY-DELTA all represent a logical extension of single-purpose regional planning within their respective program and policy areas. BARO, however, represents

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<sup>26</sup> Association of Bay Area Governments. Regional Home Rule and Government of the San Francisco Bay Area, Berkeley, California, February 22, 1967, p. 2.



a departure from this "traditional" approach. BARO's chief function is to investigate and if feasible design a limited purpose regional government which could encompass all three major policy functions as well as providing machinery for the future inclusion of other regional policy areas.

To that end, BARO examined many of the substantive regional policy areas discussed earlier in this report. The specific intent of this task was to determine which of the substantive areas could be incorporated into a limited purpose regional government.

SCR 41 clearly sets the boundaries within which BARO was to operate:

The Joint Committee shall hold public hearings and conduct investigations and studies covering at least the following topics:

(a) the need, desirability, and feasibility of creating some form of regional government to perform functions of a regional nature in the San Francisco Bay Area;

(b) the proper scope of a regional government for the San Francisco Bay Area. Which of the following functions should be handled wholly or partially on a regional basis:

- (1) regional planning;
- (2) air and water pollution;
- (3) solid waste disposal;
- (4) regional parks and open space;
- (5) transportation (including rapid transit, ports, airports, and bridges).



(c) powers which would be required for a regional government to carry out the functions to be assigned to it.

(d) finances which would be necessary to support the activities of a regional government and the sources of financing which are available.

(e) the size and method of selecting members of the Legislative body or bodies of the regional government.

(f) methods available for including existing regional and subregional multi-county districts, where appropriate, with a new regional government.

(g) the appropriate definition of the "San Francisco Bay Area" for the purpose of regional government.

(h) the socio-economic effects of regional government.

The Joint Committee shall not be limited to these topics, but shall hear, investigate and study all questions which they consider appropriate to their basic subject. In so doing, the Joint Committee shall utilize the efforts of such other individuals, groups, or organizations as may be appropriate to the purposes of the Committee.

The 1968 Session of the Legislature provided, through passage of Assembly Bill 911, that each of the Study Commissions must submit any recommendations relating to organization of regional government to BARO prior to submission to the Legislature. Further, each Study Commission was required to detail and justify any differences which may exist in their recommendations for regional government and the recommendations prepared by BARO.



This legislation in effect required that the Study Commissions must coordinate their plans for regional government with the final recommendations of BARO.

The BARO study program was conducted in two separate but interrelated, concurrent phases. The first was a series of public hearings, one in each of the nine counties, and three days of technical planning hearings, conducted from December 1967 through April 1968. In addition, hundreds of Bay Area residents were brought together for a one day conference held at the University of California, Berkeley campus.

The second phase of the project consisted of an ongoing research study of the issues outlined earlier which are relevant to regional planning. The research phase of the study was conducted by a team of highly qualified consultants led by Dr. John Dyckman, Director of Department of City and Regional Planning at the University of California.

BARO's final recommendations on regional government have been submitted to the 1969 Legislature (Assembly Bill 711). The major points of the proposal will be discussed in Section VI of this report.





## SECTION VI

### SUMMARY OF FINAL RECOMMENDATIONS ON GOVERNMENT STRUCTURE

For purposes of quick reference, the first part of this section outlines, in skeletal fashion, the specific recommendations on government of each of the four Study Commissions. The second part of this section provides a more in depth annotation of Commission findings relating to regional government.

#### Brief Outline of Government Recommendations.

##### BAY AREA TRANSPORTATION STUDY COMMISSION

1. Recommendations on Regional Organization:
  - a. A multi-purpose Bay Area Regional Organization should be established.
  - b. If no regional organization is established, a metropolitan transportation agency should be created.
2. Recommendations on Powers and Duties:
  - a. Continuing regional transportation study and planning processes.
  - b. Provide coordination of transportation programs or projects in the Bay Area.
  - c. Review of all property requiring or involving state or federal aid.
  - d. Some policy-making powers relating to Bay crossings, rapid transit and metropolitan highways.

##### BAY CONSERVATION AND DEVELOPMENT COMMISSION

1. Recommendations on Regional Organization:
  - a. A multi-purpose, limited regional government, concerned with other regional matters in addition to the Bay, should be established.



b. If no regional organization is established, a single-purpose agency should be created.

2. Recommendations on Powers and Duties:

a. Control over Bay filling and dredging.

b. Control over Bay related shoreline development.

c. Ongoing study of regional problems related to Bay Conservation and Development.

SAN FRANCISCO BAY-DELTA  
WATER QUALITY CONTROL  
PROGRAM

1. Recommendations on Regional Organization:

a. A strong multi-purpose regional agency should be established.

b. If no regional organization is established, a single-purpose water quality control agency should be created.

2. Recommendations on Powers and Duties:

a. Plan water quality throughout the region.

b. Design of water quality control facilities.

c. Ownership and Operation of all waste disposal facilities in the region.

d. Construction, operation and maintenance of the system.

e. Set regulations and standards for the operation of waste water facilities which discharge to the regional system to conform with its operative requirements.

JOINT LEGISLATIVE  
COMMITTEE ON BAY AREA  
REGIONAL ORGANIZATION

1. Recommendation on Regional Organization:

a. A nine-county limited-purpose regional government should be created.

2. Recommendations on Powers and Duties:

a. Take over functions of Bay Conservation and Development.



- b. Begin work on regional sewage disposal facilities.
- c. Designate regional transportation corridors for the region and coordinate the various types of transit that will use the corridors.
- d. Acquire, operate, maintain, regional parks and open spaces.
- e. Conduct ongoing studies of regional problems.



ANNOTATION OF COMMISSION  
FINDINGS AND  
RECOMMENDATIONS:

BAY AREA TRANSPORTATION  
STUDY COMMISSION

The Bay Area Transportation Study Commission as created by the Legislature in 1963, was assigned the following responsibilities:

1. to conduct a comprehensive Bay Area transportation study;
2. to formulate a master Bay Area regional transportation plan;
3. to find ways and means of implementing the plan and keeping it current.

Section VI of this report dealt in depth with the internal organization of the Study Commission and the conduct of the prescribed transportation study. The results of that study, the "master Bay Area regional transportation plan," have not, to date, been published. However, recommendations regarding the implementation of the plan and possible regional government structures have been prepared and are reviewed in this section.

The general conclusions reached by the BATSC regarding the necessity of creating a regional agency to implement the master plan developed by the Commission are annotated in summary form as follows:

...the coordination of different modes and subsystems of transportation, the need for greater balance in the overall system and the recognition of inter-relationships between transportation





goals and other social, economic and environmental goals, all require a broader framework for decision making on a regional basis than any voluntary arrangements under present institutions can provide. A "systems approach" dealing with all facets of transportation planning, including implementation, is needed.

Further, in its findings, the Commission observes,

...a new regional organization is needed in the Bay Area to more effectively accomplish planning and development of regional transportation facilities and to assure their compatibility with the region's developmental and social goals. The regional agency should be so structured and managed that the very real progress now being made is accelerated rather than inhibited. Extreme care should be exercised to assure that federal and state interests, on the one hand, and local interests, on the other, are fully provided for. Transportation programs of the region should be compatible with, and contribute to achievements of overall state and federal transportation goals, policies and plans.<sup>1</sup>

The BATS Commission has submitted two basic recommendations for creation of a governmental authority to implement the regional plan. The BATS Commission recommends:

(1) A multi-purpose Bay Area Regional organization should be established, whose jurisdiction covers the nine counties comprising the San Francisco Bay Area.

(2) If a Bay Area regional organization is not established, a metropolitan transportation agency should be created, which agency would exercise the authority and carry out the responsibilities described.<sup>2</sup>

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<sup>1</sup>Bay Area Transportation Study Commission. "Report of Study Group on Transportation Organization and Planning." November 1968, p. 5.

<sup>2</sup>Ibid. p. 9.



## Organization

In the event of the creation of a multi-purpose regional organization, the BATS Commission recommends the following internal structure:

...the members of the governing body of the multi-purpose regional organization should be elected from eligible legislative districts or comparable subdivisions of the Bay Area (as opposed to election at large). These districts should be sufficiently small and so designed as to guarantee the opportunity of equitable representation for all segments of the Bay Area population.<sup>3</sup>

The actual transportation duties and responsibilities would be exercised by a transportation department of the Bay Area Regional Organization subject to review and general direction by the organization itself.

If no multi-purpose regional government is created, the BATS Commission recommends that a metropolitan transportation agency be established as a single-purpose semi-autonomous agency. In the event of the creation of an MTA, the governing board of the agency should be appointive rather than elective. The internal makeup should be as follows:

...the membership should be sufficiently large to provide opportunity for equitable representation for all segments of the Bay Area population, but not so large as to be unwieldy and ineffectual. It should

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<sup>3</sup>Ibid.



be responsive to elective officials who represent the general public within the region.

It is suggested that the governing board of MTA consist of twenty-five voting members, one appointee by the Assemblyman from each of the eighteen Assembly districts in the Bay Area and seven appointees by the Association of Bay Area Governments. Every effort should be made to provide representation from each of the nine counties. The State Transportation Administrator should be an ex-officio, non-voting member.

The MTA should be established in such manner that it may be easily incorporated into a multi-purpose regional organization at a later time.<sup>4</sup>

### Powers and Duties

The powers and responsibilities of either the regional organization or the Metropolitan Transportation Agency, whichever is created, should include the following:

a. The appropriate agency should be "responsible for the continuing regional transportation study and planning process for the region..."

b. The appropriate regional agency should be designated the official agency to "exercise review and comment, and provide official coordination whenever such may be required by federal law or regulation in relation to any transportation programs or projects in the Bay Area."

c. In addition, "the Legislature should

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<sup>4</sup>Ibid., p. 16



provide that all transportation projects involving state funds (or state aids or subventions) shall be submitted for review and comment to the BARO (or MTA, if there is no BARO) in a manner similar to the review procedures for federal aid programs and projects."

d. Further, the agency should have some policy making powers. Additional authority should be given "with respect to the making of policy relating to Bay crossings, rapid transit and metropolitan highways which together constitute the major interrelated elements and socio-economic goals of the region." The agency "...should have policy making powers that include approval of plans, capital improvement programs, priorities, and major questions of location and design..." Construction, operation and maintenance of these systems should be conducted by operating divisions of the transportation department of the regional agency."<sup>5</sup>

The final report of the BATSC "study group on transportation and planning" lists specific responsibilities and powers of the regional authority in the area of bay crossings, rapid transit, and metropolitan highways:

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<sup>5</sup>Ibid., p. 11.





### Crossings

1. Crossings within the Bay Area now under the jurisdiction of the State Division of Bay Toll Crossings and the California Toll Bridge Authority should be transferred to the Bay Area Regional Organization (or MTA if there is no BARO) along with responsibilities, duties and powers now exercised by the California Toll Bridge Authority with respect to said crossings.
2. The Golden Gate Bridge and Highway District should be dissolved and its responsibilities, duties and powers, transferred to the BARO (or MTA, if there is no BARO).
3. The Golden Gate Bridge, as well as the crossings transferred from the Bay Toll Crossings Division, should be managed by a Bay Crossings Division of the BARO Transportation Department, subject to review and general direction from the regional organization itself (or MTA, if there is no BARO).

### Rapid Transit

1. The Bay Area Rapid Transit District should be made a Rapid Transit Division of the BARO Transportation Department, subject to review and general direction from the Regional Organization itself (or MTA, if there is no BARO). (Separate service districts should be provided as appropriate and necessary.)
2. All public rail rapid transit facilities (BARTD-type) or other exclusive guideway systems currently being built or which may be built in the future should be made part of a unified system managed by the Rapid Transit Division.
3. The Rapid Transit Division should be given authority to extend its transit service area beyond its existing lines by operating bus or other transit services, properly interfaced with its rail or other exclusive guideway systems.
4. Bus or other local transit systems primarily operating collection and distribution services (such as, the A-C Transit District, the San Francisco Municipal



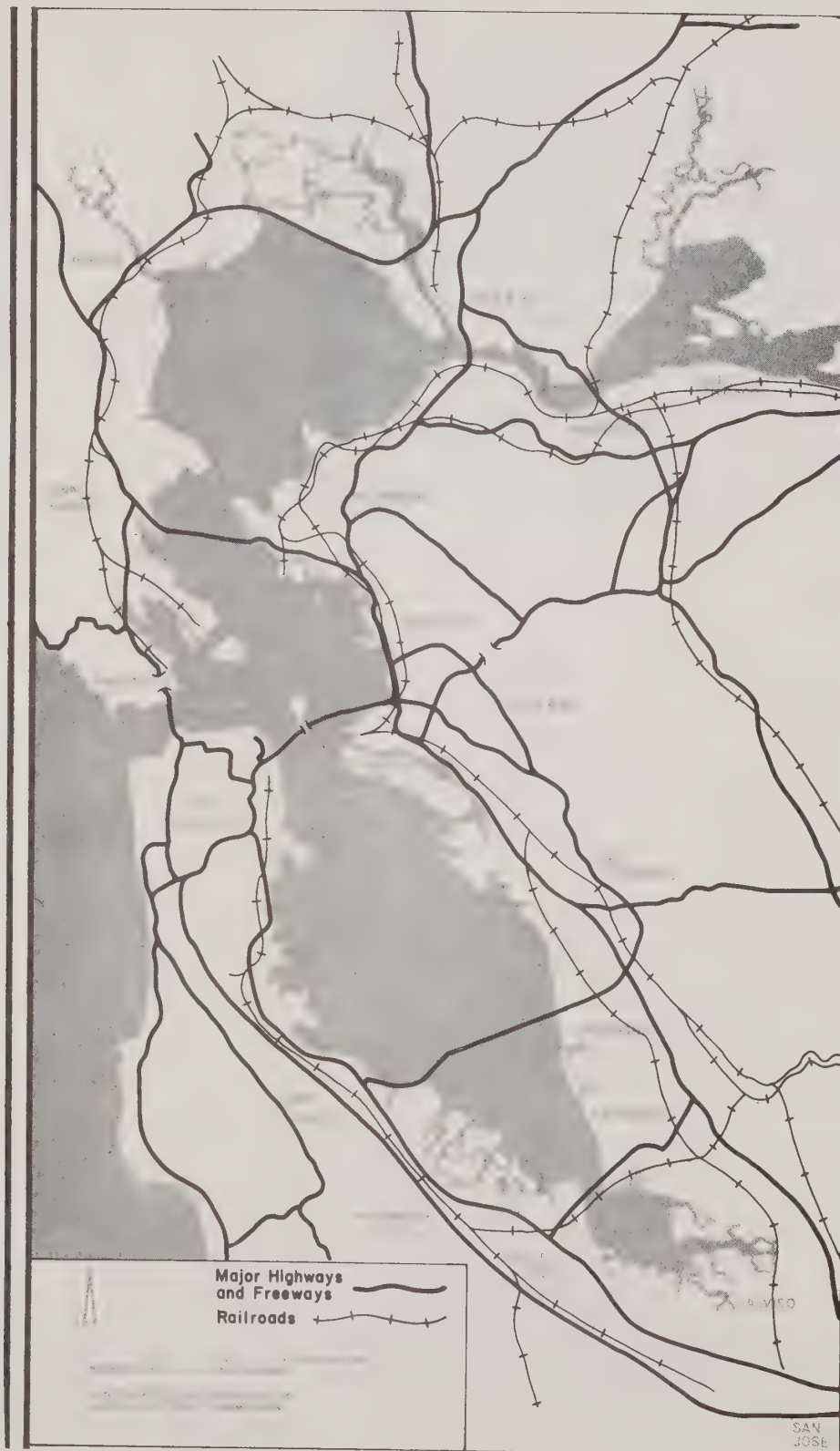
Railway, other city systems, or new bus systems within counties or subregions, as for example Marin County Transit District, West Bay Rapid Transit Authority or Santa Clara County) should not be included within the Rapid Transit Division at this time; however, such systems are included under the study, planning, review, comment, and coordination powers of BARO (or of MTA, if there is no BARO) as provided for in Items 2 through 6 above. Failure to coordinate services would be a cause for recommending disapproval of Federal or State aids.

Metropolitan Highway System (See Exhibit 8)

1. The Legislature should establish criteria and provide for selection of a Bay Area Metropolitan Highway System which shall be under the policy jurisdiction of the BARO (or MTA, if there is no BARO). Selection of such system should be based upon -- (1) development of a jurisdictional plan founded upon the functional plan the Commission is preparing, and (2) the highway classification study to be conducted by the State Highway Division and the Bureau of Public Roads in 1969.
2. The Metropolitan Highway System should consist of highways selected from the present State Highway System and major county roads and city streets of important regional significance. Provision should be made for the active participation of the State Division of Highways and of Bay Area cities and counties in selection of the Metropolitan Highway System. The Federal Highway Administration should be invited to render assistance.
3. Until such time as the Metropolitan Highway System may be designated, the BARO (or MTA, if there is no BARO) should share jurisdiction with the State Highway Commission as to State highways within the Bay Area. The State Highway Commission should be directed to receive and consider reviews and comments of the BARO (or MTA, if there is no BARO) prior to -- (1) adoption of the annual budget for State highway projects within the Bay Area, and (2) adoption of any freeway route within the Bay Area.



EXHIBIT 8  
EXISTING MAJOR HIGHWAYS AND RAILROADS AROUND THE BAY.





4. When the Metropolitan Highway System has been designated, the BARO (or MTA, if there is no BARO) should have primary jurisdiction over it with respect to allocation of funds and location and design of projects.

5. The BARO (or MTA, if there is no BARO) should be empowered to summon to a public hearing any city or county, or city and county, which declines to enter into a freeway agreement for any Metropolitan Highway (or State Highway) or segment thereof, and order it to show cause why such agreement has been declined. Written findings, based upon any such hearing, shall be disseminated to the public.

6. The functions of BARO with respect to the Metropolitan Highway System should be exercised by a Highway Division of BARO's Transportation Department, subject to review by the BARO itself.<sup>6</sup>

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<sup>6</sup>Ibid., pp. 12, 13.







BAY AREA CONSERVATION  
AND DEVELOPMENT  
COMMISSION

When created in 1965, the San Francisco Bay Conservation and Development Commission was assigned the following responsibilities:

1. to make a detailed study of the San Francisco Bay.
2. prepare a comprehensive and enforceable plan for the conservation of the waters of the Bay and the development of the tide and shoreline.
3. protect the present Bay waters and shoreline during the study and planning period by issuing or denying, after public hearings, permits for all fill or excavation projects.

BCDC was one of the first commissions to fully complete its assigned study. Because of this, it is possible to include a short summary of their study findings in this Section. The following is a verbatim excerpt from the "San Francisco Bay Plan," prepared by the San Francisco Bay Conservation and Development Commission for submission to the 1969 Session of the California Legislature. It is a summary of the major findings and conclusions of BCDC:

1. The Bay -- The Bay is a single body of water and a Bay Plan can be effectively carried out only on a regional basis.
2. Uses of the Bay -- The most important uses of the Bay are those providing substantial public benefits and treat the Bay as a body of water, not as real estate.
3. Uses of the Shoreline -- All desirable, high priority uses of the Bay and shoreline can be fully accommodated without substantial Bay fillings, and without a loss



of large natural resource area. But shoreline areas suitable for priority uses--ports, water related industry, airports, wildlife refuge, and water related recreation--exist only in limited amounts, and should be reserved for these purposes.

4. Justifiable Filling -- Some Bay filling may be justified for purposes providing substantial public benefits if these same benefits could not be achieved equally well without filling. Substantial public benefits are provided by:

a. Developing adequate port terminals, on a regional basis, to keep San Francisco Bay in the forefront of the world's great harbors during a period of rapid change in shipping technology.

b. Developing adequate land for industries that require access to shipping channels for transportation of raw materials or manufactured products.

c. Developing new recreational opportunities--shoreline parks, marinas, fishing piers, beaches, hiking and bicycling paths and scenic drives.

d. Developing expanded airport terminals and runways, if regional studies demonstrate that there are no feasible sites for major airport development away from the Bay.

e. Development of new public access to the Bay and enhancing shoreline appearance--over and above that provided by other Bay Plan policies--through filling limited to Bay related commercial recreation and public assembly.

5. Effects of Bay Filling -- Bay filling should be limited to the purposes listed above, however, because any filling is harmful to the Bay, and thus to present and future generations of Bay Area residents. All Bay filling has one or more of the following harmful effects:



a. Filling destroys the habitat of fish and wildlife. Future filling can disrupt ecological balance in the Bay, which has already been damaged by past fills, and can endanger the very existence of some species of birds and fish. The Bay, including open water, mud flats, and marshlands, is a complex biological system, in which micro organisms, plants, fish, water fowl, and shore birds live in a delicate balance created by nature, and in which seemingly minor changes, such as a new fill or dredging project, may have far reaching and sometimes highly destructive effects.

b. Filling almost always increases the danger of water pollution by reducing the ability of the Bay to assimilate the increasing quantities of liquid waste being poured into it. Filling reduces both the surface area of the Bay and the volume of water in the Bay; this reduces the ability of the Bay to maintain adequate levels of oxygen in its waters, and also reduces the strength of the tides necessary to flush wastes from the Bay.

c. Filling reduces the air conditioning effects of the Bay, and it increases the danger of air pollution in the Bay Area. Reducing the open water surface over which cool air can move in from the ocean will reduce the amount of this air reaching the Santa Clara Valley and the Carquinez Strait in the summer--and will increase the frequency and intensity of temperature-inversions, which trap air pollutants and thus cause an increase in smog in the Bay Area.

d. Indiscriminate filling will diminish the scenic beauty of the Bay.

6. Pressures to Fill -- As the Bay Area's population increases, pressures to fill the Bay for many purposes will increase. New flat lands will be sought for many urban uses because, most, if not all, of the flat land in communities boarding the Bay is



already in use--for residences, business, industries, airports, roadways, etc. Past diking and filling of tidelands and marshlands has already reduced the size of the Bay from about 680 square miles in area to little more than 400. Although some of this diked land remains, at least temporarily, as salt ponds or managed wetlands, it has nevertheless been removed from the tides of the Bay. The Bay is particularly vulnerable to diking and filling for two reasons:

a. The Bay is shallow. About two-thirds of it is less than 18 feet deep at low tide; in the South Bay and in San Pablo Bay, the depth of the water two or three miles offshore may, at low tide, be only five or six feet or even less.

b. Ownership of the Bay is divided. Private owners claim about 22 per cent of the Bay (including extensive holdings in the South Bay) as a result of sales by the State government 90 or more years ago. Cities and counties have received free grants of land from the State totaling about 23 per cent of the Bay. The State now owns only about 50 per cent of the Bay, and the Federal government owns about 5 per cent. The lands that are closest to shore, most shallow, and thus easiest to fill are held by either private owners or local governments that may wish to fill for various purposes irrespective of the effects of filling on the Bay as a whole.

7. Water Quality. Liquid wastes from many municipal, industrial and agricultural sources are emptied into San Francisco Bay. Because of the work now under way by the San Francisco Bay Regional Water Quality Control Board, the Army Corps of Engineers, and the Bay-Delta Water Quality Control Program, the Bay Plan does not deal extensively with the problems of pollution control. But the entire Bay Plan is founded on the belief that water quality in San Francisco Bay can and will be maintained at levels sufficiently high to permit full public enjoyment and use of the Bay.





8. Fill Safety. Virtually all fills in San Francisco Bay are placed on top of Bay mud. The construction of buildings on such fills creates a greater number of potential hazards to life and property, during normal settling and during earthquakes, than does construction on rock or on dense, hard soil deposits. Adequate design measures can be taken, however, to reduce these potential hazards to acceptable levels.

The agency designated to carry out the Bay Plan should appoint a Fill Review Board, consisting of leading geologists, soil engineers, structural engineers, and architects, to

(1) establish safety criteria for Bay fills and structures built on fills, and revise the criteria as necessary in the future;

(2) review all except minor projects as to the adequacy of their safety provisions, and recommend changes if necessary;

(3) develop an inspection system to insure placement of fills according to approved designs; and

(4) gather and publish data developed from specific fill projects. This work would complement the functions of local building and planning departments, none of which are presently staffed to provide soils inspections.<sup>7</sup>

The BCDC Final Plan includes a section entitled, "Carrying Out the Plan." In this Section the Plan lists two possible alternative forms of government which could ensure implementation of study recommendations and findings. These are (1) a single-purpose agency, concerned only with the waters and shoreline of the Bay; or (a) a multi-purpose, limited regional government,

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<sup>7</sup>San Francisco Bay Conservation and Development Commission. San Francisco Bay Plan, San Francisco, California, January 1969, pp. 1, 2.



concerned with other regional matters in addition to waters.

BCDC's priority recommendation is for the establishment of a multi-purpose limited regional government. They strongly advocate this alternative for the following reasons:

(1) to avoid further fragmentation of regional responsibility by forestalling the proliferation of additional special purpose districts,

(2) to be able to consider the overall needs of the region as a whole and thus minimize wasteful duplication in regional development, and

(3) to attract broad public attention and thus help to insure public awareness of regional problems and needs. As one of its principal assignments, a limited regional government should be required to carry out the BCDC Plan for the Bay and shoreline.

### Organization

The final plan did not deal in detail with the internal structure of any one particular form of regional government. However, it does list the "minimum" administrative staff it believes any agency must include. It outlines that staff as being,

(a) a planning staff to revise the plan as necessary and keep it up to date and to assist local governments in detail planning of shoreline areas,

(b) a staff to process permit applications and make the necessary inspections to insure that construction is in accordance with permits issued,



(c) consultant help--primarily in the fields of engineering and ecology--to help with the future planning and permanent processing,

(d) engineering review and inspection, to carry out recommendations of the Fill Review Board, and

(e) attorneys, appraisers, and other technical assistance in the acquisition of any lands bought for recreation and for wildlife preserves.<sup>8</sup>

### Powers and Duties

The Commission believes that any agency created to deal with conservation and development of the San Francisco Bay, must be mandated to implement the BCDC Plan. The two most essential elements of that plan involve "adequate controls over: (1) Bay filling and dredging, and (2) Bay related shoreline development."

#### (1) Control of filling and dredging.

BCDC feels that control of Bay filling (piers, pilings, floating structures, soil fill) and diking should be controlled through a permit system. The new agency should have much the same powers as those presently exercised by BCDC. To summarize from the Plan:

1. permits should be granted or denied only after public hearings.
2. permits should be granted by affirmative vote of a majority of the members of the governing body of the Bay agency.

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<sup>8</sup>Ibid., p. 40.



3. the costs of processing permit applications be borne by the applicants, not by the general public.

4. the Bay agency should insure that work is performed in the manner and for the purposes it was authorized.

Permits will continue to be granted for many fill projects in the San Francisco Bay Area, as long as the projects conform to the standards set down by the final plan.

(2) Permits for Shoreline Development.

The BCDC Final Plan recommends permit control over shoreline development to:

(1) insure that prime shoreline sites are reserved for priority uses--ports, water related industry, airports, wildlife refuges, and water related recreation,

(2) insure that public access to the Bay is provided to the maximum extent feasible,

(3) insure that if any salt ponds or managed wetlands are proposed for development, consideration is given to public purchase and return of these areas to the Bay or alternatively, that any development is in accordance with the guidelines recommended in the Bay Plan,

(4) insure that shoreline areas not needed for priority uses are developed in ways that do not adversely affect the Bay, and

(5) encourage attractive design of shoreline developments.

Therefore, the new Bay Agency should be empowered to:

(1) designate and reserve shoreline lands needed for priority uses--ports, water-related industry, airports, wildlife areas, and water-related recreation;





- (2) require as much public access to the Bay in new projects as is feasible;
- (3) encourage attractive and interesting shoreline development.

The BCDC Final Plan recommends that the regional regulation, "...of shoreline development should clearly be limited and, in general, shoreline development should continue to be subject principally to local controls."

In terms of the jurisdiction of the controls over shoreline development, the BCDC Final Plan states:

For priority uses (ports, water-related industry, airports, wildlife areas, and water-related recreation) the Bay agency's jurisdiction should encompass enough shoreline land to make an effective use of each prime site.

For all other shoreline areas, the Bay agency's jurisdiction should extend inland only far enough to assure that no harmful uses are made of the shoreline, that attractive design of shoreline development is encouraged, and that public access is provided wherever feasible.

Therefore, this jurisdiction should extend inland from the Bay to include each whole parcel of land (or group of parcels in the same ownership and use) bordering the Bay as of September 17, 1965 (the effective date of BCDC) or should extend inland a distance of 1,000 feet, whichever is less.

#### Financing the Regional Agency

If the new agency were to carry out the mandate of the final plan, there would be three broad levels of cost involved--development,



administrative, and compensation.

1. Development. Since the final plan proposes development of shoreline industries, there will be an increase in both private and public investment in shoreline lands. Even given an expected high-level investment of private funds for industrial purposes, public funds will still be needed to purchase lands for public beaches, parks, fishing piers, etc., and to develop these areas. Funds for recreational development would probably come from all three levels of government--state, local and federal. In addition, a regional bond issue could be a logical source of funds.

2. Administrative Costs. Depending upon the organizational structure of the new agency, funds could be derived from either a state appropriation, if it were a state agency, or from levy of a small property tax, if it were an independent regional district.

...if the Bay Agency were part of a limited regional government, it would presumably receive most if not all its financial support from the regional government; a broader range of tax (such as regional sales, income, or excise taxes) could presumably be made available through a limited regional government than through a special purpose Bay agency.

3. Compensation Costs. It is very difficult to deal at this time with this rather vague



area of possible compensation costs. The reason for this is because the responsibility of a state or regional agency to compensate owners of bay shore lands for their inability to develop to their own expectations and goals has not been decided either administratively or judicially.

SAN FRANCISCO BAY-DELTA  
WATER QUALITY CONTROL  
PROGRAM

As created by the Water Pollution Control Act of 1965, the Bay-Delta Study was assigned four principal tasks:

1. To conduct a comprehensive study of the effects of waste and drainage water discharges into the San Francisco Bay-Delta Area.
2. To determine the need for and the feasibility of a comprehensive multi-purpose waste collection and disposal system serving the entire San Francisco Bay-Delta Area.
3. To develop the basic features of a comprehensive plan for the control of water pollution.
4. To recommend an appropriate governmental authority to implement the study findings.

The final overall conclusions and recommendations of the San Francisco Bay-Delta Water Quality Control Program have not, to date, been released. The final report is expected to be published in mid-March, 1969. However, a general review of the major recommendations



of the Kaiser report (the Master Contractor for the Bay-Delta study) have been made available to this report. They are:

A system of large interceptor sewer lines linked to several regional sewage treatment plants of large capacity should be constructed so that wastes from the metropolitan Bay area can be more efficiently treated and discharged into waters of greater dilution and removal capacity than is now the case. All waste dischargers within the area should be required to participate.

Construction of the first stage of such a system is needed at once. Other phases would be staged so that costs could be spread and so that future changes in waste treatment technology and economic conditions could be incorporated. There would be an option for future large-scale wastewater reclamation and re-use if demand develops, and otherwise for diversion of increasingly larger volumes of wastewaters from the Central Bay to the ocean off the southern San Mateo County coast. First stage facilities are needed as the best first step regardless of future decisions and options selected.

The recommended regional system can be achieved at costs approximately equal to or slightly less than the sums which would be spent in total by independent local waste treatment entities during the same 50-year period, and would achieve and maintain significantly higher water quality than is possible under present non-regional system conditions. First stage construction costs are estimated at \$750 million (in 1969 dollars) for facilities to be completed by 1980.

To fill in still existing gaps in knowledge and technology, a number of further studies should be undertaken and funded immediately, concurrent with implementation of the regional agency.





In the course of its study tenure, the BAY-DELTA Project examined various alternative governmental structures, and finally narrowed the field to three.<sup>9</sup> These were,

1. a regional type organization based upon joint exercise of powers among the various entities within the region.
2. a state organization using a new or existing state agency for planning, construction, and operation.
3. a strong regional organization, single- or multi-purpose, having all necessary capabilities, responsibilities and powers to carry out the program.

The BAY-DELTA Project rejected both the voluntary regional organization and the state agency approaches to providing government structure for implementation of their findings. The voluntary arrangement was rejected because the historical proliferation of limited scope, single-purpose agencies or districts in the study area could inhibit the enforcing capability of any voluntary regional system. (See Exhibit 9)

The Bay Delta Study rejected the state organization approach because it felt any state agency might be "less responsive to the specific needs of the region involved." In addition, there

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<sup>9</sup>Much of the data used in this portion of the report is taken from a rough draft of the chapter on government recommendations of the Bay-Delta Final Report.



**EXHIBIT 9****MAJOR PUBLICLY-OPERATED SEWAGE TREATMENT PLANTS NEAR THE BAY**Alameda County

1. East Bay Municipal Utility District, Special District No. 1
2. City of San Leandro
3. Oro Loma Sanitary District
4. City of Hayward
5. Union Sanitary District -- Alvarado Plant
6. Union Sanitary District -- Newark Plant
7. Union Sanitary District -- Irvington Plant

Santa Clara County

8. Milpitas Sanitary District
9. City of San Jose
10. City of Alviso
11. City of Sunnyvale
12. Moffett Naval Air Station
13. City of Mountain View
14. City of Los Altos
15. City of Palo Alto

San Mateo County

16. Menlo Park Sanitary District
17. City of Redwood City
18. San Carlos - Belmont
19. Estero Municipal Improvement District (Foster City)
20. City of San Mateo
21. City of Burlingame
22. City of Millbrae
23. San Francisco International Airport
24. South San Francisco - San Bruno
25. Guadalupe Valley Municipal Improvement District (Crocker Land Co.)

San Francisco County

26. San Francisco Municipal Sewage System (Southeast Plant)
27. San Francisco Municipal Sewage System (North Point Plant)
28. Treasure Island (United States Navy)

Marin County

29. Sausalito - Marin City Sanitary District
30. City of Mill Valley
31. Richardson Bay Sanitary District
32. Sanitary District No. 5 of Marin County (Paradise Cove Plant)
33. United States Department of Interior, Bureau of Mines
34. Sanitary District No. 1 of Marin County (Tiburon Plant)
35. San Quentin Prison
36. Sanitary District No. 1 of Marin County
37. San Rafael Sanitation District (Main Plant)
38. San Rafael Sanitation District (Marin Bay Plant)
39. Los Gallinos Valley Sanitary District
40. Hamilton Air Force Base
41. Sanitary District No. 6 of Marin County (Ignacio Plant)
42. Sanitary District No. 6 of Marin County (Novato Plant)
43. Sanitary District No. 6 of Marin County (Bahia Plant)

Sonoma County

44. City of Petaluma
45. Sonoma Valley County Sanitation District
46. United States Navy, Skaggs Island Naval Reservation

Napa County

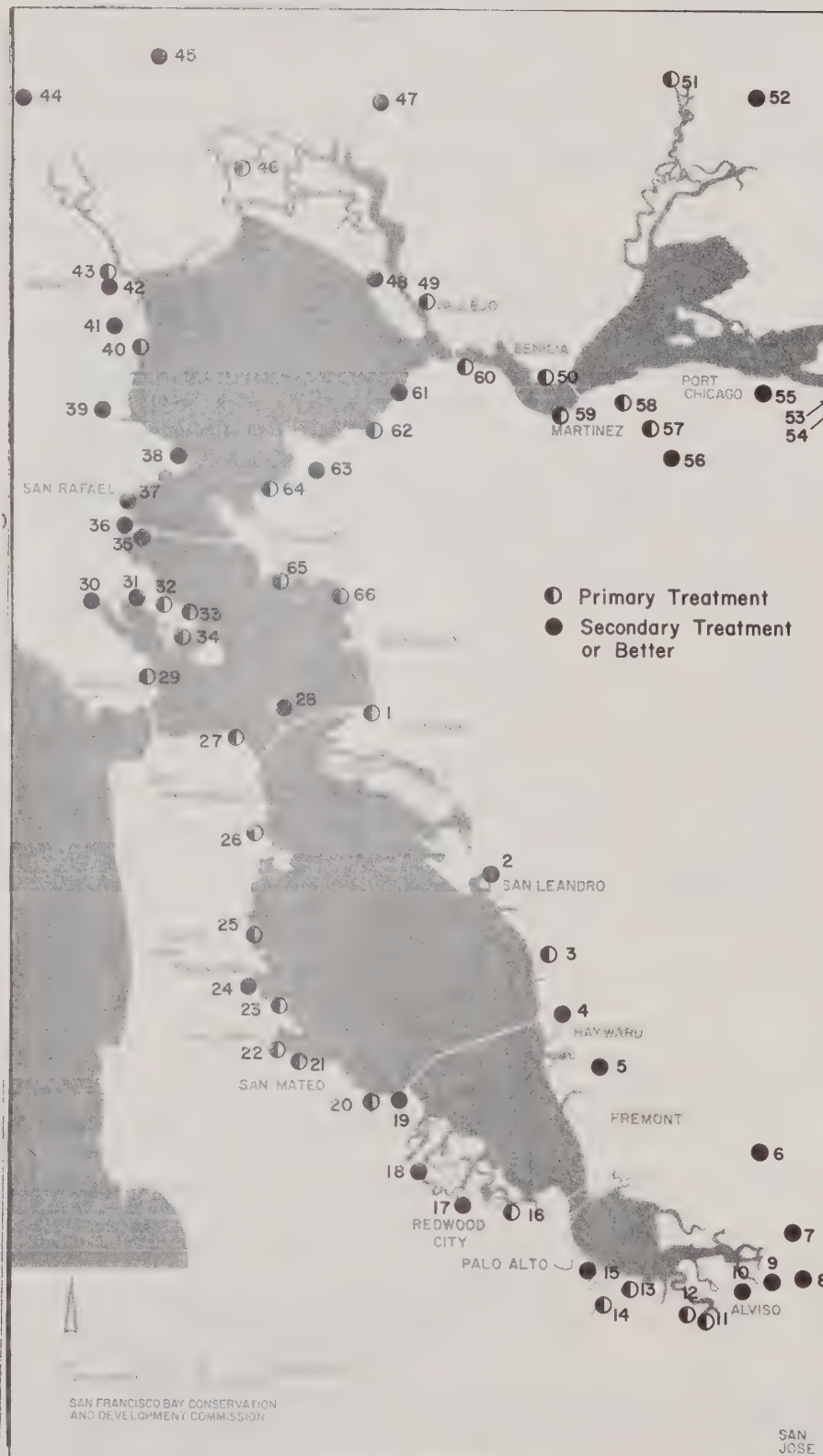
47. Napa Sanitation District

Solano County

48. United States Navy, Mare Island Naval Shipyard
49. Vallejo Sanitation and Flood Control District
50. City of Benicia
51. Fairfield - Suisun Sewer District
52. United States Air Force, Travis Air Force Base

Contra Costa County

53. City of Pittsburg -- Montezuma Street Plant
54. City of Pittsburg -- Camp Stoneman Plant
55. Contra Costa County Special District No. 7A
56. City of Concord
57. Central Contra Costa Sanitary District
58. Mountain View Sanitary District
59. City of Martinez
60. Crockett - Velona Sanitary District
61. Rodeo Sanitary District
62. City of Pinole
63. Contra Costa County Special District No. 3
64. San Pablo Sanitary District
65. City of Richmond
66. Stege Sanitary District



Source: Regional Water Quality Control Board, Sewage Plant Operators



would be extremely complex and difficult funding problems with a state agency.

The priority recommendation of the BAY-DELTA Study is for the creation of a multi-purpose regional government for either the nine county Bay Area, or the twelve county Bay-Delta Area.

...the clear advantages of a strong regional agency in providing effective planning, coordination and implementation, and obtaining favorable financing terms and financial assistance, lead to the recommendation that the system be implemented through a regional agency. Implementation of the recommended system would be appropriate for inclusion among the functions of a multi-purpose regional governing agency, if such an agency were to be formed.

The BAY-DELTA Project's second recommendation is,

...if a multi-purpose regional agency is not formed in the immediate future, the need for prompt action for water quality control indicates that a single-purpose agency for this purpose should be established.

#### Powers, Duties and Responsibilities

The BAY-DELTA Study distinguishes between responsibilities and powers of a regional agency. Under responsibilities, the following are listed:

1. Planning for water quality control throughout the region.
2. Design of water quality control facilities and of other elements necessary





for the construction and operation of a regional water quality control system.

3. Ownership and operation of all waste water disposal facilities in the region.

4. Financing all new construction needed for implementing the system, to include the assumption of outstanding bonded indebtedness for existing disposal facilities.

5. Financing the operation and maintenance costs of the system.

6. Acceptance of industrial waste water discharges from individual industries under equivalent conditions for allocation of costs.

7. Establishment of necessary regulations and standards for the operation of waste water facilities which discharge to the regional system to conform with its operational requirements.

8. Operation and maintenance of the system.

9. Establishment of necessary regulations and standards for the operation of waste water facilities which discharge to the regional system to conform with its operational requirements.

10. Liaison and coordination with the established water pollution regulatory agencies and water resources control agencies with respect to functions affecting BAY-DELTA water quality.

11. Approval of plans for all waste water treatment and disposal facilities within the region.

12. Representation of the entire region for review and approval of applications for state or federal financial assistance.

The BAY-DELTA Study lists the following powers which should be granted to a regional agency:





1. General powers that ordinarily accompany an agency as an independent governmental entity.
2. Power to form improvement districts within the area of jurisdiction.
3. Power to issue general obligation and revenue bonds to secure funds for the construction of facilities needed to implement the comprehensive regional water quality control system.
4. Power to require participation in the regional system by any entity within the area of jurisdiction.
5. Power to acquire by the assumption of outstanding debt any existing waste water handling facility which is incorporated into the regional system, and to operate such facility as a part of the system.
6. Power to levy a limited tax not to exceed the specified rate to provide revenue from throughout the region to pay general administrative costs and finance initially a part of the capital costs of providing reserve capacity in the system.
7. In addition to the bonding and taxing powers previously cited, the regional agency should be empowered to issue funding and refunding bonds, except short term loans and issue interest bearing warrants, assess component entities for the cost of improvements and impose and collect service charges.

Financing the  
Regional Government

The salient features of the rather complex formula for financing the billion dollar water quality control program are summarized below by the BAY-DELTA Study report:

1. The plan proposes the basic mechanism for financing the system implementation through the year 2020 and provides specific recommendations for financing through phase one to 1980.



2. Capital requirements of the \$1,312,000,000 for phase one would be met by issue of general obligation bonds in 1975.

3. Repayment of capital would be provided primarily by the sale of capacity rights in each element of the system to local discharging entities, both municipal and industrial. Regional taxes would be used to pay for general overhead costs and a portion of the capital costs, including a portion of the costs for reserve capacity in the system.

4. The capital and operating costs of industrial treatment prior to discharge to the regional system would be borne by the industries concerned. Industries would share the capital costs of regional interceptors and treatment and disposal facilities which dispose of their effluents according to their share of capacity in those facilities.

5. Operations and maintenance costs of the regional facilities would be paid by all discharges generally in proportion to their share of the flow in the element of the system serving them, with adjustments in cost based on strength of effluents.

6. The plan encompasses a large regional area of twelve counties and results in the implementation of a comprehensive water quality control system. It thus appears to qualify for maximum federal assistance under Public Law 660.<sup>10</sup> Assuming the establishment of provisions for state financial assistance as recommended, the probable availability of federal financial assistance in the future appears to justify the assumption that the costs of the system would be shared on the basis of fifty-five per cent federal, twenty-five per cent state, and twenty per cent local contributions.

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<sup>10</sup>Public Law 660 is The Federal Water Pollution Control Act which provides assistance to local governments for sewage disposal projects. Without State involvement, Federal aid goes as high as 30% matching grants.



JOINT LEGISLATIVE  
COMMITTEE ON BAY  
AREA REGIONAL  
ORGANIZATION (BARO)

BARO, as created by the Legislature in 1967, was mandated to, "study the need, desirability, and feasibility of establishing a regional organization in San Francisco Bay Area in order to insure the region's effective and orderly planning, and development, and to conserve environmental resources."

In addition to its own research efforts, the Committee staff examined the final recommendations on government prepared by each of the three regional Study Commissions (BATS, BCDC, and BAY-DELTA).

Recommended  
Government Agency

The BARO proposal advocates the creation of a nine county multi-purpose regional government.

Powers and Duties

Generally, the BARO proposal calls for the creation of a regional agency which would:

1. be responsible for Bay conservation and development.
2. have the authority to begin work on the billion dollar regional sewage disposal facilities which the BAY-DELTA Study indicates will be required by 1980.
3. have the authority to designate major transportation corridors for the region and to coordinate the various types of transit which will use such corridors.



4. would have the authority to acquire, operate and maintain regional parks and open space, subject to the availability of funds for this purpose.

5. coordinate major utility facilities.<sup>11</sup>

The primary responsibility of the regional government would be to design and enforce a regional master plan. This plan would be "a comprehensive and long term statement of the objectives and programs needed to guide physical, economic and social development within the region." Generally, the regional plan would include,

1. comprehensive studies of factors relevant to the region's physical, economic and social development.

2. a statement of the major regional problems and opportunities in each of these areas.

3. a statement of the desired sequence, patterns, and characteristics of future regional development and the probable consequences thereof.

4. a definition of the specific programs which would be necessary to effect the desired regional government.

Specifically, the regional plan would have the following mandatory component elements:

1. a transportation element which would be defined as a plan for the development and management of an integrated regional system of transportation of persons and goods

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<sup>11</sup>Much of the data used in this portion of the report is taken from three BARO documents: (1) "STAFF PROPOSAL for Regional Government" December 17, 1968; (2) "Summary, Bay Area Regional Government Legislation," March 3, 1969; and (3) the text of Assembly Bill 711, authored by Assemblyman John Knox.







within the region including: freeways, state highways and major county and city streets, roads and highways which are necessary or convenient for regional traffic; bridges, tunnels, tubes or other crossings for highways or rapid transit over, under or across bay lands and bay waters; transit and rail rapid transit systems; airports, seaports and facilities pertinent to any of the foregoing.

2. environmental quality elements which would be defined as a plan for the integrated management and control of contaminants or waste materials discharged into or deposited in, under or upon land, air or waters within the region.

3. a regional parks and open space element which would be defined as a plan for the preservation, development, management and utilization of regional parks, open space and scenic or other natural resources within the region.

4. a San Francisco Bay element which would be defined as a plan for the conservation, development, management and utilization of the Bay, Bay lands, Bay waters, shoreline lands and land and water sites for water front industries.

5. public services facilities element which would be defined as a plan for the provision, and utilization of regional utility services.

The regional government would be given a five year limit within which it must complete the plan. During that initial five year period, the regional agency would be guided by the comprehensive plans prepared by BCDC, BAY-DELTA and BATSC.



In terms of specific functions, the regional government would have a varied mix of powers and responsibilities. Generally, the agency would set limited land use and development standards in the regional area.

In the case of the Bay, the regional government would have a wide assortment of land use ordinance power to control Bay fill and shoreline development. Other control over policy and management of government agencies would occur only in a limited sense in the areas of water quality control and transportation. Other operating responsibilities of the regional government would include:

1. Regional Parks and Open Spaces--the regional government could acquire, operate and maintain regional parks and open space.
2. Water Quality Control and Management--the regional government would have the authority,
  - (a) to construct and finance facilities recommended by the Bay-Delta Water Quality Study;
  - (b) to force existing sewer agencies to connect to a regional collection and disposal system;
  - (c) to use eminent domain if needed in the construction of regional sewage collection facilities.



3. Regional Highway System--the regional government would have the authority to designate regional transportation corridors, and in this regard coordinate and review route selections, construction, design and expenditures for regional highways.

4. Review, Evaluation and Coordination of Applications for State and Federal Grants--the regional government would be required to review and evaluate all applications for state and federal grants to determine that the projects for which money was being requested was not incompatible with the interests of the region.

5. Research and Development--the regional government would be permitted to apply for state and federal grants to conduct research and development related to any of the areas covered by the regional plan.

6. Manpower Training and Placement-- the regional government would be designated as a clearing house for coordinating federal, state and local programs dealing with job training and those dealing with job placement.

### Structure

The regional agency would not actually be in operation until approved by a referendum conducted within the entire nine county area



during the 1970 primary election. Once created, the regional agency would be governed by a board of thirty-six members, directly elected from districts on a one man one vote basis (fifteen per cent deviation from average). Board members would serve four year terms staggered eighteen members elected every two years.

The actual technical staff of the agency would include a regional administrative officer appointed by the regional board who would be assisted by a treasurer, a planning director and any other officer as authorized by the regional board. Other officials would include an attorney, a chief clerk, an auditor, a treasurer, and a staff of planners and administrators.

#### Financing the Regional Government

AB 711 as introduced requires that the regional government be funded from the revenues derived from a combination of the following taxes levied in the area of jurisdiction:

1. A personal income surtax in the amount of 1%.
2. A gross receipt tax on business and corporations imposed at the same level as the surtax.





In addition, the BARO proposal recommends that the regional government have a broad mix of other financing mechanisms available, including bonding and a variety of service charges, to finance capital development, improvements, and other specified operational costs. Property taxes will be allowed, but only for the express purpose of securing bonds.



## SECTION VII

### FINDINGS AND STAFF RECOMMENDATIONS

The following paragraphs summarize the major findings of this report. Taken together, they are in part the combined findings of all four Study Commissions as well as the findings of whatever limited primary research the staff has undertaken.

#### Findings

In compliance with the requirements of statute, the California Legislature will receive and review the final reports and recommendations of the four Study Commissions created to study regional problems of the San Francisco Bay Area. In addition, the Legislature will consider bills introduced which affect regional government in the Bay Area.

One issue which will confront the Legislature will not be whether to create a regional government for the San Francisco Bay Area. Regional government is a fact. It exists as a viable form of government. The issues which must be resolved by the Legislature this session involve determinations of shape and form. The findings and recommendations presented in this section of this report are made within the context of these determinations.



1. The State of California has a positive responsibility to provide the governmental mechanisms necessary to aid the people of the San Francisco Bay Area in preserving the resources of the region.

In 1966, the California Legislature created the Joint Committee on Bay Area Regional Organization (BARO). In its mandate to BARO the Legislature stated,

...The State of California has a positive interest in the orderly growth and development of its urban areas. This interest involves an obligation to insure that adequate governmental mechanisms are available to these areas to provide for their general planning and development as well as the conservation of their physical and environmental resources.

One basic finding of this report is that in order to conserve the resources of the San Francisco Bay Area, some additional form of regional government is needed. The Legislature has demonstrated its support of regional government in the past and has been called upon in 1969 to continue this support.

2. There is a demonstrable need to conserve the waters and shoreline of the San Francisco Bay.

The public has a definite interest in the geographical configuration of Bay tide and shorelines. The size of the Bay affects the climate, the quality of air, the ecological balance, and the general environmental quality



of the San Francisco region. These are just a few of the many observations and findings resulting from years of study conducted to assess the public interest in the San Francisco Bay and the value of the Bay as a resource to the area.

The Joint Committee on Midelands, the San Francisco Bay Conservation Study Commission, and finally, the San Francisco Bay Conservation and Development Commission have all stressed the inherent regional nature of Bay problems.

In order to accomplish a program of water and shoreline conservation, there is a definite need to ensure regional jurisdiction over fill, diking, and shoreline development in and around the San Francisco Bay.

3. There is a need to preserve and protect the quality of the San Francisco Bay waters and to deter water pollution.

Water pollution is a regional problem. There is an urgent need for the regional control of drainage and waste water discharge into the San Francisco Bay.

The San Francisco Bay-Delta Water Quality Control Program has developed a comprehensive regional plan for the control of water





pollution. In addition, the BAY-DELTA project recommends the creation of a multi-purpose waste collection and disposal system for the entire nine county Bay Area. The Legislature will be asked this session to provide some mechanism for the implementation of regional controls of water pollution.

4. There is a need to coordinate existing and plan future transportation systems in the San Francisco Bay Area.

The San Francisco Bay Area has an intricate network of subregional transportation systems. The issue of urban transportation is a complex one. Despite the complexity of the environment, however, there is a need for regional coordination of existing transportation systems and systematic planning and development for future transportation needs.

5. There is a need for a general planning, research, and data bank center for the region.

As this report has shown, there already exists a substantial body of well researched socio-economic and political fact pertaining to the Bay Area. However, there is no central reservoir for these data. Modern computer technology in the area of data gathering and



information monitoring has made the existence of a central regional data bank and research center an economic and administratively feasible reality. Such a center could establish a reservoir of data pertaining to the region which could be continually utilized by every level of government and private industry. A regional research center could be a source of data for local governments to conduct coordinated research and planning within the region.

General Conclusions  
and Staff  
Recommendations

The staff of the Senate Committee on Governmental Efficiency, after careful study, sets forth the following conclusions and recommendations for legislative consideration:

A. Regional Government

The staff recommends that the Legislature create a limited, multi-purpose regional government for the San Francisco Bay Area.

The regional authority designed to conserve the resources of the San Francisco Bay Area should have the responsibility and authority to perform the following functions, subject to legislative approval:

1. Adopt, amend, revise, review and implement a general plan. In particular,



the regional government should enforce controls over filling, diking and shoreline development in and around the San Francisco Bay.

2. Adopt, review and implement a comprehensive regional plan designed to prevent and control water pollution.

3. Provide coordination of regional transportation planning and continue to provide assistance to the planning efforts of the Bay Area Transportation Study Commission.

4. Prepare a regional plan for the coordination of water related recreation and open space programs in the San Francisco Bay Area.

5. Conduct ongoing research projects relating to the regional implication of any policy area and create a central regional data bank to be available to any local government in the region. The data bank should be updated and contain information on any particular subject of interest to the region.

## B. Jurisdiction

The regional agency should have limited jurisdiction in all nine counties of the San Francisco Bay Area: Marin, Sonoma,



Napa, Solano, Contra Costa, Alameda, Santa Clara, San Mateo and San Francisco. The actual jurisdiction should relate to the established bounds of function. For example, for the Bay conservation element of the regional government, the jurisdiction would extend to all the open water and slough areas from the Golden Gate and the southern end of the Bay to the eastern end of Suisun Bay and Montezuma Slough, including submerged lands, tidelands, and marshlands.

#### C. Structure

The regional government could be governed by an appointed board consisting of twenty-five bay area residents. The Board could serve four year terms (staggered) at the pleasure of the appointing power. Notwithstanding, removal of Board members can be accomplished by recall by the entire nine county electorate during a regularly conducted primary election. The Board could be composed and appointed by the following formula:

- (1) Six members appointed by the Governor.
- (2) Three members appointed by the President Pro Tempore of the Senate.
- (3) Three members appointed by the Speaker of the Assembly.
- (4) Nine members--one each--appointed by the counties.





- (5) Four members representing the cities, appointed by the Association of Bay Area Governments.

The chief executive of the regional government could initially be appointed by the Governor for a term of two years and thereafter be elected every two years by the Commission.

The Commission should be empowered to employ any necessary administrative staff. It may be desirable that priority consideration be given to the staffs of BCDC, BATSC, BAY-DELTA and BARO.

In addition, there could be a Technical Advisory Commission (TAC) which can aid the Commission and Staff in the administration of the affairs and problems of the regional government. TAC should have advisory powers only. The TAC could be composed of one representative of each of the following government agencies:

State:

State Water Quality Control Board  
 State Reclamation Board  
 San Francisco Bay Regional Water Pollution  
 Control Board  
 Department of Fish and Game  
 Department of Parks and Beaches  
 Department of Water Resources  
 State Lands Division  
 Department of Harbors and Watercraft  
 Department of Conservation  
 Department of Public Works  
 Public Utilities Commission



Department of Housing and Community  
Development  
State Office of Planning

Legislature: Ex officio

One Senator from the San Francisco  
Bay Area

One Assemblyman from the San Francisco  
Bay Area

Federal:

The Department of Interior

The Department of Housing and Urban  
Development

The Department of Health, Education  
and Welfare

U. S. Corps of Engineers

The Department of Commerce

The Department of Transportation

Local:

Bay Area Pollution Control District

San Francisco Bay Area Rapid Transit  
District

Planning Director, Association of  
Bay Area Governments

Additional:

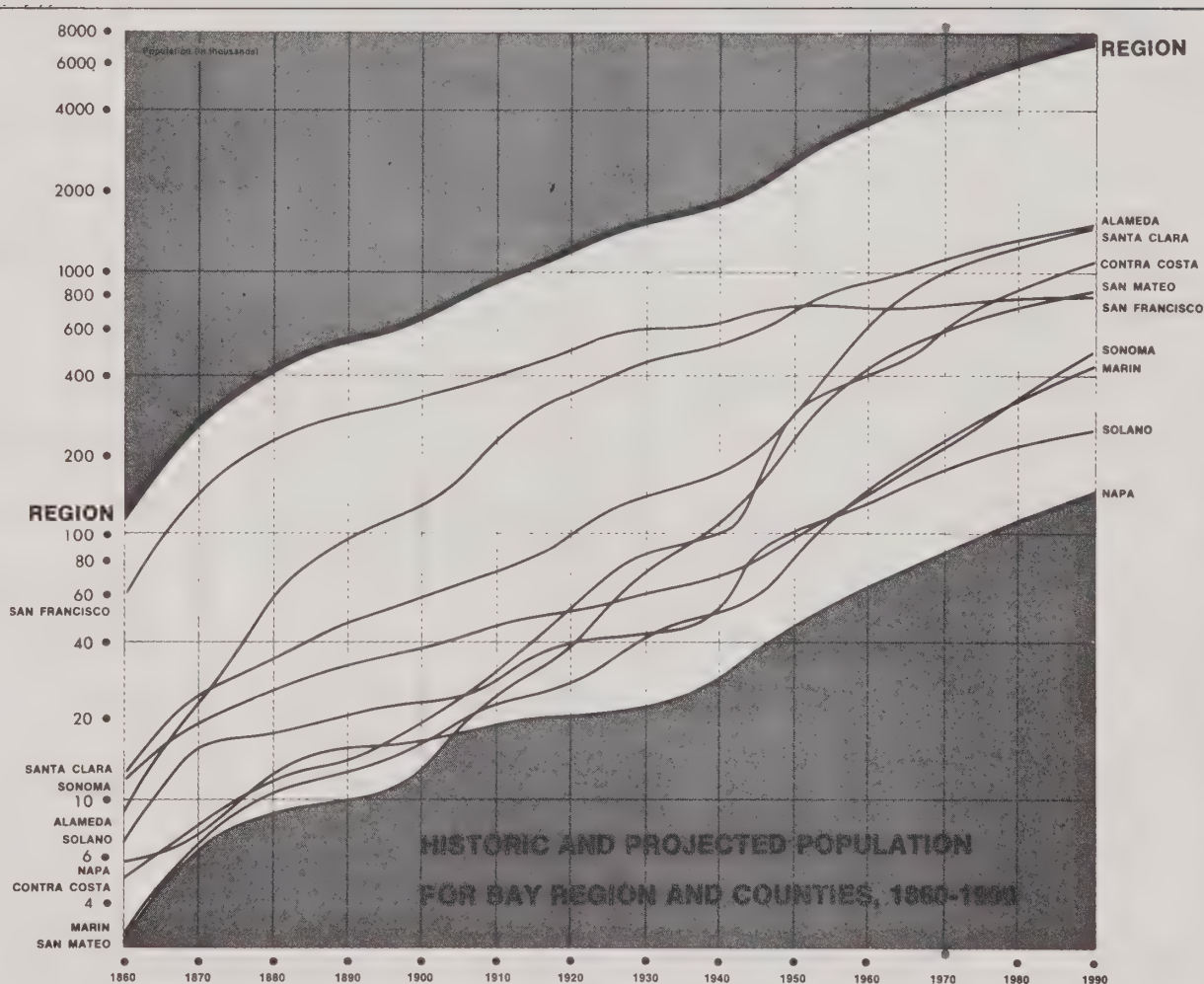
Up to ten additional members may be  
appointed to the TAB by general vote  
of the Regional Commission. The  
additional members shall be selected  
on the basis of expertise, and ability  
to contribute to the goals and programs  
of the Commission.



## SECTION VIII

### APPENDIX - GENERAL POPULATION ON THE SAN FRANCISCO BAY AREA

#### BAY AREA POPULATION BY COUNTIES OVER TIME



	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950	1960	1970	1980	1990
<b>BAY REGION</b>	114,074	265,808	422,128	547,618	658,111	925,708	1,182,911	1,578,009	1,734,308	2,681,322	3,638,939	4,869,000	6,071,000	7,207,000
<b>ALAMEDA</b>	8,927	24,237	62,976	93,864	130,197	246,131	344,177	474,883	513,011	740,315	908,209	1,150,000	1,350,000	1,505,000
<b>CONTRA COSTA</b>	5,328	8,461	12,525	13,515	18,046	31,674	53,889	78,608	100,450	298,984	409,030	605,000	860,000	1,138,000
<b>MARIN</b>	3,334	6,903	11,324	13,072	15,702	25,114	27,342	41,648	52,907	85,619	146,820	232,000	330,000	450,000
<b>NAPA</b>	5,521	7,163	13,235	16,411	16,451	19,800	20,678	22,897	28,503	46,603	65,890	87,000	117,000	150,000
<b>SAN FRANCISCO</b>	56,802	149,473	233,959	298,997	342,782	416,912	506,676	634,394	634,536	775,357	740,316	760,000	815,000	850,000
<b>SAN MATEO</b>	3,214	6,635	8,669	10,087	12,094	26,585	36,781	77,405	111,782	235,659	444,387	600,000	745,000	860,000
<b>SANTA CLARA</b>	11,912	26,246	35,039	48,005	60,216	83,539	100,676	145,118	174,949	290,547	642,315	1,033,000	1,290,000	1,500,000
<b>SOLANO</b>	7,169	16,871	18,475	20,946	24,143	27,559	40,602	40,834	49,118	104,833	134,597	180,000	220,000	254,000
<b>SONOMA</b>	11,867	19,819	25,926	32,721	38,480	48,394	52,090	62,222	69,052	103,405	147,375	222,000	344,000	500,000

Source: 1860-1960, U.S. Census  
1960-1990, A.B.A.G. Forecasts, rounded to the nearest thousand



## POPULATION GROWTH RATES

POPULATION GROWTH RATES BY DECADE,  
1900-1990, FOR BAY REGION AND COUNTIES

(In percentages)	POPULATION GROWTH RATES BY DECADE, 1900-1990, FOR BAY REGION AND COUNTIES								
	1900 to 1910	1910 to 1920	1920 to 1930	1930 to 1940	1940 to 1950	1950 to 1960	1960 to 1970	1970 to 1980	1980 to 1990
BAY REGION	40.7	27.7	33.1	10.1	54.6	35.7	33.8	24.7	18.7
ALAMEDA	89.0	39.8	37.1	8.7	44.3	22.7	26.6	17.4	11.5
CONTRA COSTA	75.5	70.1	45.9	27.8	97.6	36.8	47.9	42.1	32.3
MARIN	59.9	8.9	52.3	27.0	61.8	71.5	57.8	42.2	36.4
NAPA	20.4	4.4	10.7	24.5	63.5	41.4	31.8	34.5	28.2
SAN FRANCISCO	21.6	21.5	25.2	0.0	22.2	-4.5	2.7	7.2	4.3
SAN MATEO	119.8	38.3	110.4	44.4	110.8	88.6	35.1	24.2	15.4
SANTA CLARA	38.7	20.5	44.1	20.6	66.1	121.1	60.9	24.9	16.3
SOLANO	14.1	47.3	0.6	20.3	113.4	28.4	33.3	22.2	15.4
SONOMA	25.8	7.6	19.4	11.0	49.7	42.5	51.0	54.9	45.3

Source: Preliminary Regional Plan  
 Association of Bay Area Governments, 1966





## Increase in Area and Population By Decades, 1852-1960

Decade	Percent Increase in Area	Percent Increase in Population
1852-60.....	none	63.3
1860-70.....	33.1	187.3
1870-80.....	none	68.1
1880-90.....	15.4	32.7
1890-1900.....	29.0	23.8
1900-10.....	81.3	48.7
1910-20.....	9.5	31.5
1920-30.....	30.3	43.7
1930-40.....	41.1	8.6
1940-50.....	125.5	56.6
1950-60.....	87.8	49.4

## Exhibit --

Population per Square Mile, 1852-1960, and Percent Change  
for Each Decade

Year	Population per Square Mile	Percent Change
1852.....	829a	..
1860.....	1,352	+ 63
1870.....	2,919	+120
1880.....	4,907	+ 68
1890.....	5,643	+ 15
1900.....	5,417	- 4
1910.....	4,445	- 22
1920.....	5,334	+ 20
1930.....	5,883	+ 10
1940.....	4,528	- 28
1950.....	3,145	- 31
1960.....	2,501	- 21

Source: Davis, Kingsley and Eleanor Langlois.

FUTURE DEMOGRAPHIC GROWTH OF THE SAN FRANCISCO BAY AREA

Institute of Governmental Studies, University of California,  
Berkeley.



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